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MEMOIRS, CORRESPONDENCE,

AND

PRIVATE PAPERS

OF

THOMAS JEFFERSON.

VOL. III.

LONDON:
SHACKELL AND BAYLIS, JOHNSON'S-COURT, FLEET-STREET.

MEMOIRS, CORRESPONDENCE,

AND

PRIVATE PAPERS

OF

THOMAS JEFFERSON,

LATE PRESIDENT OF THE UNITED STATES.

NOW FIRST PUBLISHED FROM THE ORIGINAL MANUSCRIPTS.

EDITED BY

THOMAS JEFFERSON RANDOLPH.

VOL. III.

LONDON:
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1829.

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BIBLIOTHECA·BODLEIANA

CORRESPONDENCE.

TO JOHN JAY.

Paris, July 19, 1789.

DEAR SIR,

I AM become very uneasy, lest you should have adopted some channel for the conveyance of your letters to me, which is unfaithful. I have none from you of later date than November the 25th, 1788, and, of consequence, no acknowledgement of the receipt of any of mine since that of August the 11th, 1788. Since that period, I have written to you of the following dates:—1788, August the 20th, September the 3d, 5th, 24th, November the 14th, 19th, 29th; 1789, January the 11th, 14th, 21st, February the 4th, March the 1st, 12th, 14th, 15th, May the 9th, 11th, 12th, June the 17th, 24th, 29th. I know, through another person, that you have received mine of November the 29th, and that you have written an answer; but I have never received the answer, and it is this which suggests to me the fear of some general source of miscarriage.

The capture of three French merchant ships by the Algerines, under different pretexts, has produced great sensation in the seaports of this country, and some in its government. They have ordered some frigates to be armed at Toulon to punish them. There is a possibility that this circumstance, if not too soon set to rights by the Algerines, may furnish occasion to the States General, when they shall have leisure to attend to matters of this kind, to disavow any future tributary treaty with them. These pirates respect still less their treaty with Spain, and treat the Spaniards with an insolence greater than was usual before the treaty.

The scarcity of bread begins to lessen in the southern parts of France, where the harvest has commenced. Here it is still threatening, because we have yet three weeks to the beginning of harvest, and I think there has not been three days' provision beforehand in Paris for two or three weeks past. Monsieur de Mirabeau, who is very hostile to Mr. Neckar, wished to find a ground for censuring him, in a proposition to have a great quantity of flour furnished from the United States, which he supposed me to have made to Mr. Neckar, and to have been refused by him; and he asked time of the States General to furnish proofs. The Marquis de la Fayette immediately gave me notice of this matter, and I wrote him a letter to disavow having ever made any such proposition to Mr. Neckar, which I desired him to communicate to the States. I waited immediately on Mr. Neckar and Monsieur de Montmorin, satisfied them that what had been suggested was absolutely without foundation from me; and, indeed, they had not needed this testimony. I gave them copies of my letter to the Marquis de la Fayette, which was afterwards printed. The Marquis, on the receipt of my letter, shewed it to Mirabeau, who turned then to a paper from which he had drawn his information, and found he had totally mistaken it. He promised immediately that he would himself declare his error to the States General, and read to them my letter, which he did. I state this matter to you, though of little consequence in itself, because it might go to you misstated in the English papers.

Our supplies to the Atlantic ports of France, during the months of March, April, and May, were only twelve thousand two hundred and twenty quintals, thirty-three pounds of flour, and forty-four thousand one hundred and fifteen quintals, forty pounds of wheat, in twenty-one vessels.

My letter of the 29th of June, brought down the proceedings of the States and government to the re-union of the orders, which took place on the 27th. Within the Assembly, matters went on well: but it was soon observed that troops, and particularly the foreign troops, were on their march towards Paris from various quarters, and that this was against the opinion of Mr. Neckar. The king was probably advised to this, under pretext of preserving peace in Paris and Versailles, and saw nothing else in the measure. That his advisers are supposed to have had in view, when he should be secured and inspirited by the presence of the troops, to take advantage of some favourable moment, and surprise him into an act of authority for establishing the declaration of the 23d of June, and perhaps dispersing the States General, is probable. The Marshal de Broglio was appointed to command all the troops within the Isle of France,—a high-flying aristocrat, cool, and capable of every thing. Some of the French guards were soon arrested under other pretexts, but, in reality, on account of their dispositions in favour of the national cause. The people of Paris forced the prison, released them, and sent a deputation to the States-General, to solicit a pardon. The States, by a most moderate and prudent *arreté*, recommended these prisoners to the King, and peace to the people of Paris. Addresses came in to them from several of the great cities, expressing sincere allegiance to the King, but a determined resolution to support the States-General. On the 8th of July, they voted an address to the King, to remove the troops. This piece of masculine eloquence,* written by Monsieur de Mirabeau, is worth attention, on account of the bold matter it expresses and discovers through the whole. The King refused to remove the troops, and said they might remove themselves, if they pleased, to Noyons or Soissons. They proceeded to fix the order in which they will take up the several branches of their future constitution, from which it appears, they mean to build it from the bottom, confining themselves to nothing in their ancient form, but a King. A declaration of rights, which forms the first chapter of their work, was then proposed by the Marquis de la Fayette. This was on the 11th. In the mean time, troops to the number of about 25,000 or 30,000, had arrived, and were posted in and between Paris and Versailles. The bridges and passes were guarded. At three o'clock in the afternoon, the Count de la Luzerne was sent to notify Mr. Neckar of his dismission, and to enjoin him to retire instantly, without saying a word of it to any body. He went home, dined, proposed to his wife a visit to a friend, but went, in fact, to his country-house at St. Ouen, and, at midnight, set out from thence, as is supposed, for Brussels. This was not known till the next day, when the whole ministry was changed, except Villedeuil, of the domestic department, and Barentin, Garde des Sçeaux. These changes were as follows: The Baron de Breteuil, President of the Council of Finance, and de la Galaisiere, Comptroller-general, in the room of Mr. Neckar; the Marshal de Broglio, Minister of War, and Foulon under him, in the room of Puy-Segur; Monsieur de la Vauguyon, Minister of Foreign Affairs, instead of Monsieur de Montmorin; de la Porte, Minister of Marine, in place of the Count de la Luzerne; St. Priest was also removed from the Council. It is to be observed, that Luzerne and Puy-Segur had been strongly of the aristocratical party in Council; but they were not considered as equal to bear their shares in the work now to be done. For this change, however sudden it may have been in the mind of the King, was, in that of his advisers, only one chapter of a great plan, of which the bringing together the foreign troops had been the first. He was now completely in the hands of men, the principal among whom had been noted through their lives for the Turkish despotism of their characters, and who were associated about the King, as proper instruments for what was to be executed. The news of this change began to be known in Paris about one or two o'clock. In the afternoon, a body of about one hundred German cavalry were advanced and drawn up in the Place Louis XV., and about two hundred Swiss posted at a little distance in their rear. This drew the people to that spot, who naturally formed themselves in front of the troops, at first merely to look at them; but as their numbers increased their indignation arose; they retired a few steps, posted themselves on and behind large piles of loose stone, collected in that place for a bridge adjacent to it, and attacked the horse with stones. The horse charged, but the advantageous position of the people and the showers of stones obliged them to retire, and even to quit the field altogether, leaving one of their number on the ground. The Swiss in their rear were observed never to stir. This was the signal for universal insurrection; and this body of cavalry, to avoid being massacred, retired towards Versailles. The people now armed themselves with such weapons as they could find in armourers' shops and private houses, and with bludgeons, and were roaming all night through all parts of the city, without any decided practicable object. The next day the States pressed on the King to send away the troops, to permit the bourgeoise of Paris to arm for the preservation of order in the city, and offered to send a deputation from their body to tranquillize them. He refused all their propositions. A committee of magistrates and electors of the city were appointed by their bodies to take upon them its government. The mob, now openly joined by the French guards, forced the prison of St. Lazare, released all the prisoners, and took a great store of corn, which they carried to the corn-market. Here they got some arms, and the French guards began to form and train them. The committee determined to raise forty-eight thousand bourgeoise, or rather to restrain their numbers to forty-eight thousand. On the 14th they sent one of their members (Monsieur de Corny, whom we knew in America) to the Hôtel des Invalides, to ask arms for their *garde bourgeoise*. He was followed by, or he found there, a great mob. The Governor of the Invalides came out, and represented the impossibility of his delivering arms, without the orders of those from whom he received them. De Corny advised the people then to retire, and retired himself; and the people took possession of the arms. It was remarkable, that not only the Invalides themselves made no opposition, but that a body of five thousand foreign troops, encamped within four hundred yards, never stirred. Monsieur de Corny and five others were then sent to ask arms of Monsieur de Launai, Governor of the Bastile. They found a great collection of people already before the place, and they immediately planted a flag of truce, which was answered by a like flag hoisted on the parapet. The deputation prevailed on the people to fall back a little, advanced themselves to make their demand of the Governor, and in that instant a discharge from the Bastile killed four people of those nearest to the deputies. The deputies retired: the people rushed against the place, and almost in an instant were in possession of a fortification, defended by one hundred men, of infinite strength, which in other times had stood several regular sieges, and had never been taken. How they got in, has as yet been impossible to discover. Those who pretend to have been of the party tell so many different stories, as to destroy the credit of them all. They took all the arms, discharged the prisoners, and such of the garrison as were not killed in the first moment of fury, carried the Governor and Lieutenant-Governor to the Grève, (the place of public execution,) cut off their heads, and sent them through the city in triumph to the Palais Royal. About the same instant, a treacherous correspondence having been discovered in Monsieur de Flesselles, Prevôt des Marchands, they seized him in the Hôtel de Ville, where he was in the exercise of his office, and cut off his head. These events, carried imperfectly to Versailles, were the subject of two successive deputations from the States to the King, to both of which he gave dry and hard answers; for it has transpired, that it had been proposed and agitated in council, to seize on the principal members of the States General, to march the whole army down upon Paris, and to suppress its tumults by the sword. But at night, the Duke de Liancourt forced his way into the King's bed chamber, and obliged him to hear a full and animated detail of the disasters of the day in Paris. He went to bed deeply impressed. The decapitation of de Launai worked powerfully through the night on the whole aristocratical party, insomuch that, in the morning, those of the greatest influence on the Count d'Artois, represented to him the absolute necessity that the King should give up every thing to the States. This according well enough with the dispositions of the King, he went, about eleven o'clock, accompanied only by his brothers, to the States General, and there read to them a speech, in which he asked their interposition to re-establish order. Though this be couched in terms of some caution, yet the manner in which it was delivered made it evident that it was meant as a surrender at discretion. He returned to the Chateau a foot, accompanied by the States. They sent off a deputation, the Marquis de la Fayette at their head, to quiet Paris. He had, the same morning, been named Commandant in Chief of the Milice Bourgeoise, and Monsieur Bailly, former President of the States General, was called for as Prevôt des Marchands. The demolition of the Bastile was now ordered, and begun. A body of the Swiss guards, of the regiment of Ventimille, and the city horse guards joined the people. The alarm at Versailles increased instead of abating. They believed that the aristocrats of Paris were under pillage and carnage, that one hundred and fifty thousand men were in arms, coming to Versailles to massacre the royal family, the court, the ministers, and all connected with them, their practices and principles. The aristocrats of the nobles and clergy in the States General, vied with each other in declaring how sincerely they were converted to the justice of voting by persons, and how determined to go with the nation all its lengths. The foreign troops were ordered off instantly. Every minister resigned. The King confirmed Bailly as Prevôt des Marchands, wrote to Mr. Neckar to recal him, sent his letter open to the States General, to be forwarded by them, and invited them to go with him to Paris the next day, to satisfy the city of his dispositions: and that night and the next morning, the Count d'Artois and Monsieur de Montisson, (a deputy connected with him), Madame de Polignac, Madame de Guiche, and the Count de Vaudreuil, favourites of the Queen, the Abbé de Vermont, her confessor, the Prince of Condé, and Duke de Bourbon, all fled, we know not whither. The king came to Paris, leaving the Queen in consternation for his return. Omitting the less important figures of the procession, I will only observe, that the King's carriage was in the centre, on each side of it the States General, in two ranks, afoot, and at their head the Marquis de la Fayette, as Commander-in-chief, on horseback, and Bourgeois guards before and behind. About sixty thousand citizens, of all forms and colours, armed with the muskets of the Bastile and Invalides, as far as they would go: the rest with pistols, swords, pikes, pruning hooks, scythes, &c. lined all the streets through which the procession passed; and, with the crowds of people in the streets, doors, and windows, saluted them everywhere, with cries of '*Vive la nation!*' but not a single '*vive le roy*' was heard. The King stopped at the Hôtel de Ville. There Monsieur Bailly presented and put into his hat the popular cockade, and addressed him. The King being unprepared, and unable to answer, Bailly went to him, gathered from him some scraps of sentences, and made out an answer, which he delivered to the audience as from the King. On their return, the popular cries were '*vive le roy et la nation.*' He was conducted by a Garde Bourgeois to his palace at Versailles, and thus concluded such an *amende honorable* as no sovereign ever made, and no people ever received. Letters written with his own hand to the Marquis de la Fayette, remove the scruples of his position. Tranquillity is now restored to the capital: the shops are again opened; the people resuming their labours; and if the want of bread does not disturb our peace, we may hope a continuance of it. The demolition of the Bastile is going on, and the Milice Bourgeoise organising and training. The ancient police of the city is abolished by the authority of the people, the introduction of the King's troops will probably be proscribed, and a watch or city guards substituted, which shall depend on the city alone. But we cannot suppose this paroxysm confined to Paris alone. The whole country must pass successively through it, and happy if they get through it as soon and as well as Paris has done.

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* See it in the paper called Point du Jour, No. 23.

I went yesterday to Versailles, to satisfy myself what had passed there; for nothing can be believed but what one sees, or has from an eye witness. They believe there still, that three thousand people have fallen victims to the tumults of Paris. Mr. Short and myself have been every day among them, in order to be sure of what was passing. We cannot find, with certainty, that any body has been killed but the three before mentioned, and those who fell in the assault or defence of the Bastile. How many of the garrison were killed, nobody pretends to have ever heard. Of the assailants, accounts vary from six to six hundred. The most general belief is, that there fell about thirty. There have been many reports of instantaneous executions by the mob, on such of their body as they caught in acts of theft or robbery. Some of these may perhaps be true. There was a severity of honesty observed, of which no example has been known. Bags of money, offered on various occasions through fear or guilt, have been uniformly refused by the mobs. The churches are now occupied in singing '*De profundis*' and '*Requiems*,' 'for the repose of the souls of the brave and valiant citizens who have sealed with their blood the liberty of the nation.' Monsieur de Montmorin is this day replaced in the department of foreign affairs, and Monsieur de St. Priest is named to the home department. The gazettes of France and Leyden accompany this. I send also a paper (called the Point du Jour), which will give you some idea of the proceedings of the National Assembly. It is but an indifferent thing; however, it is the best.

I have the honour to be, with great esteem and respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

P. S. July 21. Mr. Neckar had left Brussels for Frankfort, before the courier got there. We expect, however, to hear of him in a day or two. Monsieur le Comte de la Luzerne has resumed the department of the marine this day. Either this is an office of friendship effected by Monsieur de Montmorin (for though they had taken different sides, their friendship continued), or he comes in as a stop-gap, till somebody else can be found. Though very unequal to his office, all agree that he is an honest man. The Count d'Artois was at Valenciennes. The Prince of Condé and Duke de Bourbon had passed that place. T. J.

TO M. L'ABBE ARNOND.

Paris, July 19, 1789.

DEAR SIR,

The annexed is a catalogue of all the books I recollect, on the subject of juries. With respect to the value of this institution, I must make a general observation. We think, in America, that it is necessary to introduce the people into every department of government, as far as they are capable of exercising it; and that this is the only way to insure a long continued and honest administration of its powers.

1. They are not qualified to exercise themselves the executive department, but they are qualified to name the person who shall exercise it. With us, therefore, they choose this

officer every four years. 2. They are not qualified to legislate. With us, therefore, they only choose the legislators. 3. They are not qualified to *judge* questions of *law*, but they are very capable of judging questions of *fact*. In the form of juries, therefore, they determine all matters of fact, leaving to the permanent judges to decide the law resulting from those facts. But we all know that permanent judges acquire an *esprit de corps*; that being known, they are liable to be tempted by bribery; that they are misled by favour, by relationship, by a spirit of party, by a devotion to the executive or legislative power; that it is better to leave a cause to the decision of cross and pile, than to that of a judge biassed to one side; and that the opinion of twelve honest jurymen gives still a better hope of right, than cross and pile does. It is in the power, therefore, of the juries, if they think the permanent judges are under any bias whatever, in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power, they have been the firmest bulwarks of English liberty. Were I called upon to decide, whether the people had best be omitted in the legislative or judiciary department, I would say it is better to leave them out of the legislative. The execution of the laws is more important than the making them. However, it is best to have the people in all the three departments, where that is possible.

I write in great haste, my dear Sir, and have, therefore, only time to add wishes for the happiness of your country, to which a new order of things is opening; and assurances of the sincere esteem with which I have the honour to be,

Dear Sir,
Your most obedient and humble servant,
TH. JEFFERSON.

Books, on the subject of Juries.

Complete Juryman, or a compendium of the laws relating to jurors.
Guide to English juries.
Hawles's Englishman's right.
Jurors judges both of law and fact, by Jones.
Security of Englishmen's lives, or the duty of grand juries.
Walwin's juries justified.

TO JOHN JAY.

Paris, July 23, 1789.

Sir,

The bearer of my letters (a servant of Mr. Morris) not going off till to-day, I am enabled to add to their contents. The spirit of tumult seemed to have subsided, when, yesterday, it was excited again, by a particular incident. Monsieur Foulon, one of the obnoxious ministry, who, as well as his brethren, had absconded, was taken in the country, and, as is said, by his own tenants brought to Paris. Great efforts were exerted by popular characters to save him. He was at length forced out of the hands of the Garde Bourgeoise, hung immediately, his head cut off, and his body drawn through the principal streets of the city. The Intendant of Paris, Monsieur de Chauvigny, accused of having entered into the designs of the same ministry, has been taken at Compiegne, and a body of two hundred men on horseback have gone for him. If he be brought here, it will be difficult to save him. Indeed it is hard to say at what distance of time the presence of one of those ministers, or any of the most obnoxious of the fugitive courtiers, will not rekindle the same blood-thirsty spirit. I hope it is extinguished as to every body else, and yesterday's example will teach them to keep out of its way. I add two other sheets of the Point du Jour, and am, with the most perfect esteem and respect,

Sir,
Your most obedient and most humble servant,
Th. Jefferson.

P. S. I just now learn that Bertier de Chauvigny was brought to town last night, and massacred immediately.

TO JOHN JAY.

Paris, July 29, 1789.

Sir,

I have written you lately, on the 24th of June, with a postscript of the 25th; on the 29th of the same month; the 19th of July, with a postcript of the 21st; and again on the 23rd.

Yesterday I received yours of the 9th of March, by the way of Holland.

Mr. Neckar has accepted his appointment, and will arrive to day from Switzerland, where he had taken refuge. No other ministers have been named since my last. It is thought that Mr. Neckar will choose his own associates. The tranquillity of Paris has not been disturbed, since the death of Foulon and Bertier, mentioned in my last. Their militia is in a course of organization. It is impossible to know the exact state of the supplies of bread. We suppose them low and precarious, because, some days, we are allowed to buy but half or three fourths of the daily allowance of our families. Yet as the wheat harvest must begin within ten days or a fortnight, we are in hopes there will be subsistence found till that time. This is the only source from which I should fear a renewal of the late disorders; for I take for granted, the fugitives from the wrath of their country are all safe in foreign countries. Among these, are numbered seven Princes of the house of Bourbon, and six ministers; the seventh (the Marshal de Broglio) being shut up in the fortified town of Metz, strongly garrisoned with foreign soldiers. I observed to you, in a preceding letter, that the storm which had begun in Paris, on the change of the ministry, would have to pass over the whole country, and consequently, would, for a short time, occasion us terrible details from the different parts of it. Among these, you will find a horrid one retailed from Vesoul, in French Compté. The atrociousness of the fact would dispose us rather to doubt the truth of the evidence on which it rests, however regular that appears. There is no question, that a number of people were blown up; but there are reasons for suspecting that it was by accident, and not design. It is said, the owner of the chateau sold powder by the pound, which was kept in the cellar of the house blown up; and it is possible some one of the guests may have taken this occasion to supply himself, and been too careless in approaching the mass. Many idle stories have also been propagated and believed here, against the English, as that they have instigated the late tumults with money, that they had taken or were preparing to take Cherbourg, Brest, &c.; and even reasonable men have believed, or pretended to believe, all these. The British ambassador has thought it necessary to disavow them in a public letter, which you will find in one of the papers accompanying this.

I have lately had an opportunity of knowing with certainty the present state of the King of England. His recovery was slow; he passed through a stage of profound melancholy;

but this has at length dissipated, and he is at present perfectly re-established. He talks now as much as ever, on the same trifling subjects, and has recovered even his habitual inquisitiveness into the small news of the families about him. His health is also good, though he is not as fleshy as he used to be. I have multiplied my letters to you lately, because the scene has been truly interesting; so much so, that had I received my permission to pay my projected visit to my own country, I should have thought, and should still think it my duty to defer it awhile. I presume it cannot now be long, before I receive your definitive answer to my request. I send herewith the public papers, as usual; and have the honour to be, with the most perfect esteem and respect,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO JOHN JAY.

Paris, August 5, 1789.

SIR,

I wrote you on the 19th of the last month, with a postscript of the 21st; and again on the 23rd and 29th. Those letters went by private conveyances. This goes by the London post. Since my last, some small and momentary tumults have taken place in this city, in one of which a few of the rioters were killed by the city militia. No more popular executions have taken place. The capture of the Baron de Besenval, commandant of the Swiss troops, as he was flying to Switzerland, and of the Duke de la Vauguyon, endeavouring to escape by sea, would endanger new interpositions of the popular arm, were they to be brought to Paris. They are, therefore, confined where they were taken. The former of these being unpopular with the troops under his command, on account of oppressions, occasioned a deputation from their body, to demand justice to be done on him, and to avow the devotion of the Swiss troops to the cause of the nation. They had before taken side in part only. Mr. Neckar's return contributed much to re-establish tranquillity, though not quite as much as was expected. His just intercessions for the Baron de Besenval and other fugitives, damped very sensibly the popular ardour towards him. Their hatred is stronger than their love.

Yesterday, the other ministers were named. The Archbishop of Bordeaux is Garde des Sçeaux: Monsieur de la Tour du Pin, minister of war; the Prince of Beauvou is taken into the Council; and the *feuille des bénéfices* given to the Archbishop of Bordeaux. These are all of the popular party; so that the ministry (M. de la Luzerne excepted) and the Council, being all in reformation principles, no further opposition may be expected from that quarter. The National Assembly now seriously set their hands to the work of the constitution. They decided, a day or two ago, the question, whether they should begin by a declaration of rights, by a great majority in the affirmative. The negatives were of the Clergy, who fear to trust the people with the whole truth. The declaration itself is now on the carpet. By way of corollary to it, they last night mowed down a whole legion of abuses, as you will see by the Arreté which I have the honour to inclose you. This will stop the burning of chateaux, and tranquillize the country more than all the addresses they could send them. I expressed to you my fears of the impracticability of debate and decision in a room of one thousand and two hundred persons, as soon as Mr. Neckar's determination to call that number was known. The inconveniences of their number have been distressing to the last degree, though, as yet, they have been employed in work which could be done in the lump. They are now proceeding to instruments, every word of which must be weighed with precision. Heretofore, too, they were hooped together by a common enemy. This is no longer the case. Yet a thorough view of the wisdom and rectitude of this assembly, disposes me more to hope they will find some means of surmounting the difficulty of their numbers, than to fear that, yielding to the unmanageableness of debate in such a crowd, and to the fatigue of the experiment, they may be driven to adopt, in the gross, some one of the many projects which will be proposed.

There is a germ of schism in the pretensions of Paris to form its municipal establishment, independently of the authority of the nation. It has not yet proceeded so far, as to threaten danger. The occasion does not permit me to send the public papers; but nothing remarkable has taken place in the other parts of Europe.

I have the honour to be, with the most perfect respect and esteem,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. CARMICHAEL.

Paris, August 9, 1789.

Dear Sir,

Since your last of March the 27th, I have only written that of May the 8th. The cause of this long silence, on both parts, has been the expectation I communicated to you of embarking for America. In fact, I have expected permission for this, every hour since the month of March, and therefore always thought, that by putting off writing to you a few days, my letter, while it should communicate the occurrences of the day, might be a letter of adieu. Should my permission now arrive, I should put off my departure till after the equinox. They write me that my not receiving it, has proceeded from the ceasing of the old government in October last, and the organization of the higher departments in the new, which had not yet taken place when my last letters came away. Bills had been brought in, for establishing departments of Foreign Affairs, Finance, and War. The last would certainly be given to General Knox. Mr. Jay would probably have his choice of the first and second; and it was supposed Hamilton would have that which Mr. Jay declined. Some thought Mr. Jay would prefer and obtain the head of the law department, for which Wilson would be a competitor. In such a case some have supposed C. Thompson would ask the Foreign Affairs. The Senate and Representatives differed about the title of the President. The former wanted to style him 'His Highness George Washington, President of the United States, and Protector of their Liberties.' The latter insisted, and prevailed, to give no title but that of office, to wit, 'George Washington, President of the United States.' I hope the terms of Excellency, Honour, Worship, Esquire, for ever disappear from among us, from that moment: I wish that of Mr. would follow them. In the impost bill, the Representatives had, by almost an unanimous concurrence, made a difference between nations in treaty with us, and those not in treaty. The Senate had struck out this difference, and lowered all the duties. Quære, whether the Representatives would yield? Congress were to proceed about the 1st of June to propose amendments to the new constitution. The principal would be, the annexing a declaration of rights to satisfy the minds of all, on the subject of their liberties. They waited the arrival of Brown, Delegate from Kentucky, to take up the receiving that district as a fourteenth State. The only objections apprehended, were from the partisans of Vermont, who might insist on both coming in together. This would produce a delay, though probably not a long one.

To detail to you the events of this country would require a volume. It would be useless too; because those given in the Leyden Gazette, though not universally true, have so few and such unimportant errors mixed with them, that you may give a general faith to them. I will rather give you, therefore, what that paper cannot give, the views of the prevailing power, as far as they can be collected from conversation and writings. They will distribute the powers of government into three parts, legislative, judiciary and executive. The legislative will certainly have no hereditary branch, probably not even a select one, (like our Senate). If they divide it into two chambers at all, it will be by breaking the representative body into two equal halves by lot. But very many are for a single House, and particularly the Turgotists. The imperfection of their legislative body, I think, will be, that not a member of it will be chosen by the people directly. Their representation will be an equal one, in which every man will elect and be elected as a citizen, not as of a distinct order. Quære, whether they will elect placemen and pensioners? Their legislature will meet periodically, and sit at their own will, with a power in the executive to call them extraordinarily, in case of emergencies. There is a considerable division of sentiment whether the executive shall have a negative on the laws. I think they will determine to give such a negative, either absolute or qualified. In the judiciary the parliaments will be suppressed, less numerous judiciary bodies instituted, and trial by jury established, in criminal, if not in civil cases. The executive power will be left entire in the hands of the King. They will establish the responsibility of ministers, gifts and appropriations of money by the National Assembly alone; consequently a civil list, freedom of the press, freedom of religion, freedom of commerce and industry, freedom of person against arbitrary arrests, and modifications, if not a total prohibition of military agency in civil cases. I do not see how they can prohibit altogether the aid of the military in cases of riot; and yet I doubt whether they can descend from the sublimity of antient military pride, to let a Maréchal of France, with his troops, be commanded by a magistrate. They cannot conceive that General Washington, at the head of his army, during the late war, could have been commanded by a common constable to go as his *posse comita-*

tus, to suppress a mob; and that Count Rochambeau, when he was arrested at the head of his army by a sheriff, must have gone to jail if he had not given bail to appear in court. Though they have gone astonishing lengths, they are not yet thus far. It is probable, therefore, that, not knowing how to use the military as a civil weapon, they will do too much or too little with it.

I have said that things will be so and so. Understand by this, that these are only my conjectures, the plan of the constitution not being proposed yet, much less agreed to. Tranquillity is pretty well established in the Capital; though the appearance of any of the refugees here would endanger it. The Baron de Besenval is kept away: so is M. de la Vauguyon. The latter was so short a time a member of the obnoxious administration, that probably he might not be touched were he here. Seven Princes of the house of Bourbon, and seven ministers fled into foreign countries, is a wonderful event indeed.

I have the honour to be, with great respect and attachment,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO JOHN JAY.

Paris, August 12, 1789.

SIR,

I wrote you on the 19th, 23rd, 29th of the last, and 5th of the present month. The last occasions not having admitted the forwarding to you the public papers, I avail myself of the present, by a gentleman going to London, to furnish you with them to the present date. It is the only use I can prudently make of the conveyance. I shall, therefore, only observe, that the National Assembly has been entirely occupied since my last, in developing the particulars which were the subject of their resolutions of the 4th instant, of which I send you the general heads.

The city is as yet not entirely quieted. Every now and then summary execution is done on individuals, by individuals, and nobody is in condition to ask for what, or by whom. We look forward to the completion of the establishment of the city militia, as that which is to restore protection to the inhabitants. The details from the country are as distressing as I had apprehended they would be. Most of them are doubtless false, but many must still be true. Abundance of chateaux are certainly burnt and burning, and not a few lives sacrificed. The worst is probably over in this city; but I do not know whether it is so in the country. Nothing important has taken place in the rest of Europe.

I have the honour to be, with the most perfect esteem and respect,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO COLONEL GOUVION.

Paris, August 15, 1789.

SIR,

I have the pleasure to inform you, that money is now deposited in the hands of Messrs. Grand and Company, for paying the arrears of interest due to the foreign officers who served in the American army. I will beg the favour of you to notify thereof, as many of them as you find convenient; and if you can furnish the addresses of any others to Messrs. Grand and Company, they will undertake to give notice to them. The delays which have attended the completion of this object, have been greater than I expected. This has not proceeded from any inattention of Congress or any of their servants to the justice due to those officers. This has been sufficiently felt; but it was not till the present moment that their efforts to furnish such a sum of money have been successful. The whole amount of arrears to the beginning of the present year, is about ten thousand louis d'ors.

I have the honour to be, with sentiments of the most perfect esteem and attachment,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO JOHN JAY.

Paris, August 27, 1789.

SIR,

I am honoured with your favour of June the 19th, informing me that permission is given me to make a short visit to my native country, for which indulgence I beg leave to return my thanks to the President, and to yourself, Sir, for the expedition with which you were so good as to forward it, after it was obtained. Being advised that October is the best month of the autumn for a passage to America, I shall wish to sail about the first of that month: and as I have a family with me, and their baggage is considerable, I must endeavour to find a vessel bound directly for Virginia, if possible.

My last letters to you have been of the 5th and 12th instant. Since these, I received information from our bankers in Holland, that they had money in hand sufficient to answer the demands for the foreign officers, and for the captives; and that moreover, the residue of the bonds of the last loan were engaged. I hereupon wrote to Mr. Grand for an exact estimate of the sum necessary for the officers. He had stated it to me as being forty-five thousand six hundred and fifty-two livres eleven sous six deniers, a year, when I was going to Holland to propose the loan to Mr. Adams, and at that sum you will see it was stated in the estimate we sent you from Amsterdam. He now informed me it was sixty thousand three hundred and ninety-three livres seventeen sous ten deniers, a year. I called on him for an explanation. He shewed me that his first information agreed with the only list of the officers and sums then in his possession, and his last with a new list lately sent from the Treasury Board, in which other officers were set down, who had been omitted in the first. I wrote to our bankers on account of this error, and desired to know whether, after reserving the money necessary for the captives, they were in condition to furnish two hundred and fifty-four thousand livres for the officers. They answered me by sending the money, and the additional sum of twenty-six thousand livres, to complete the business of the medals. I delivered the bills to Messrs. Grand and Company, to negotiate and pay away; and the arrears to the officers, to the first day of the present year, are now in a course of payment. While on this subject, I will ask that an order may be forwarded to the bankers in Holland to furnish, and to Mr. Grand to pay, the arrearages which may be due on the first of January next. The money being in hand, it would be a pity that we should fail in payment a single day, merely for want of an order. The bankers further give it as their opinion, that our credit is so much advanced on the exchange of Amsterdam, that we may probably execute any money arrangements we may have occasion for, on this side the water. I have the honour to send you a copy of their letter. They have communicated to me apprehensions, that another house was endeavouring to obtain the business of our government. Knowing of no such endeavours myself, I have assured them that I am a stranger to any applications on the subject. At the same time, I cannot but suspect that this jealousy has been one of the spurs, at least, to the prompt completion of our loan. The spirited proceedings of the new Congress in the business of revenue, has doubtless been the principal one.

An engagement has taken place between the Russian and Swedish fleets in the Baltic, which has been not at all decisive, no ship having been lost on either side. The Swedes claim a victory, because they remained in the field till the Russians quitted it. The latter effected a junction soon after with another part of their fleet, and being now about ten ships strongest, the Swedes retired into port, and it is imagined they will not appear again under so great disparity; so that the campaign by sea is supposed to be finished. Their commerce will be at the mercy of their enemies: but they have put it out of the power of the Russians to send any fleet to the Mediterranean this year.

A revolution has been effected very suddenly in the bishoprick of Liege. Their constitution had been changed by force, by the reigning sovereign, about one hundred years ago. This subject had been lately revived and discussed in print. The people were at length excited to assemble tumultuously. They sent for their Prince, who was at his country seat, and required him to come to the town house to hear their grievances. Though in the night, he came instantly, and was obliged to sign a restitution of their antient constitution, which took place on the spot, and all became quiet without a drop of blood spilt. This fact is worthy notice, only as it shews the progress of the spirit of revolution.

No act of violence has taken place in Paris since my last, except on account of the difference between the French and Swiss guards, which gave rise to occasional single combats, in which five or six were killed. The difference is made up. Some misunderstandings had arisen between the committees of the different districts of Paris, as to the form of the future municipal government. These gave uneasiness for a while, but have been also reconciled. Still there is such a leaven of fermentation remaining in the body of the people, that acts of violence are always possible, and are quite unpunishable; there being, as yet, no judicature which can venture to act in any case, however small or great. The country is becoming more calm. The embarrassments of the government, for want of money, are extreme. The loan of thirty millions proposed by Mr. Neckar, has not succeeded at all. No taxes are paid. A total stoppage of all payment to the creditors of the State is possible every moment. These form a great mass in the city as well as country, and among the lower class of people too, who have been used to carry their little savings of their service into the public funds, upon life rents of five, ten, twenty guineas a year, and many of whom have no other dependence for daily subsistence. A prodigious number of servants are now also thrown out of employ by domestic reforms, rendered necessary by the late events. Add to this, the want of bread, which is extreme. For several days past, a considerable proportion of the people have been without bread altogether; for though the new harvest is begun, there is neither water nor wind to grind the grain. For some days past the people have besieged the doors of the bakers, scrambled with one another for bread, collected in squads all over the city, and need only some slight incident to lead them to excesses which may end in nobody can tell what. The danger from the want of bread, however, which is the most imminent, will certainly lessen in a few days. What turn that may take which arises from the want of money, is difficult to be foreseen. Mr. Neckar is totally without influence in the National Assembly, and is, I believe, not satisfied with this want of importance. That Assembly has just finished their bill of rights. The question will then be, whether to take up first the constitution or the business of finance.

No plan of a constitution has been yet given in. But I can state to you the outlines of what the leading members have in contemplation. The executive power in a hereditary King, with power of dissolving the legislature, and a negative on their laws; his authority in forming treaties to be greatly restrained. The legislative to be a single House of Representatives, chosen for two or three years. They propose a body whom they call a Senate, to be chosen by the Provincial Assemblies, as our federal Senate is, but with no power of negativing or amending laws; they may only remonstrate on them to the representatives, who will decide, by a simple majority, the ultimate event of the law. This body will therefore be a mere council of revision. It is proposed that they shall be of a certain age and property, and be for life. They may make them also their court of impeachment. They will suppress the parliaments, and establish a system of judicature somewhat like that of England, with trial by jury in criminal cases, perhaps also in civil. Each province will have a subordinate provincial government, and the great cities a municipal one, on a free basis. These are the ideas and views of the most distinguished members. But they may suffer great modifications from the Assembly, and the longer the delay, the greater will be the modifications. Considerable interval having taken place since any popular execution, the aristocratic party is raising its head. They are strengthened by a considerable defection from the patriots, in consequence of the general suppression of the abuses of the 4th of August, in which many were interested. Another faction too, of the most desperate views, has acquired strength in the Assembly, as well as out of it. These wish to dethrone the reigning branch, and transfer the crown to the Duke d'Orleans. The members of this faction are mostly persons of wicked and desperate fortunes, who have nothing at heart but to pillage from the wreck of their country. The Duke himself is as unprincipled as his followers; sunk in debaucheries of the lowest kind, and incapable of quitting them for business; not a fool, yet not head enough to conduct any thing. In fact, I suppose him used merely as a tool, because of his immense wealth, and that he acquired a certain degree of popularity by his first opposition to the government, then credited to him as upon virtuous motives. He is certainly borrowing money on a large scale. He is in understanding with the court of London, where he had been long in habits of intimacy. The ministry here are apprehensive, that that ministry will support his designs by war. I have no idea of this, but no doubt, at the same time, that they will furnish him money liberally to aliment a civil war, and prevent the regeneration of this country.

It was suggested to me, some days ago, that the court of Versailles were treating with that of London, for a surrender of their West India possessions, in consideration of a great sum of money to relieve their present distress. Every principle of common sense was in opposition to this fact; yet it was so affirmed as to merit inquiry. I became satisfied the government had never such an idea; but that the story was not without foundation altogether; that something like this was in contemplation between the faction of Orleans and the court of London, as a means of obtaining money from that court. In a conversation with the Count de Montmorin, two days ago, he told me their colonies were speaking a language which gave them uneasiness, and for which there was no foundation. I asked him if he knew any thing of what I have just mentioned. He appeared unapprised of it, but to see at once that it would be a probable speculation between two parties circumstanced and principled as those two are. I apologised to him for the inquiries I had made into this business, by observing that it would be much against our interest, that any one power should monopolize all the West India Islands. 'Pardi, assurément,' was his answer.

The *emancipation* of their islands is an idea prevailing in the minds of several members of the National Assembly, particularly those most enlightened and most liberal in their views. Such a step by this country would lead to other emancipations or revolutions in the same quarter. I enclose you some papers, received from Mr. Carmichael, relative to the capture of one of our vessels by a Morocco cruiser, and restitution by the Emperor. I shall immediately write to M. Chiappe, to express a proper sense of the Emperor's friendly dispositions to us. I forward also the public papers to the present date; and have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO JAMES MADISON.

Paris, August 28, 1789.

DEAR SIR,

My last to you was of July the 22nd. Since that, I have received yours of May the 27th, June 13th and 30th. The tranquillity of the city has not been disturbed since my last. Dissensions between the French and Swiss guards occasioned some private combats in which five or six were killed. These dissensions are made up. The want of bread for some days past, has greatly endangered the peace of the city. Some get a little, some none at all. The poor are the best served, because they besiege perpetually the doors of the bakers. Notwithstanding this distress, and the palpable impotence of the city administration to furnish bread to the city, it was not till yesterday, that general leave was given to the bakers to go into the country and buy flour for themselves, as they can. This will soon relieve us, because the wheat harvest is well advanced. Never was there a country where the practice of governing too much had taken deeper root and done more mischief. Their declaration of rights is finished. If printed in time I will enclose a copy with this. It is doubtful whether they will now take up the finance or the constitution first. The distress for money endangers every thing. No taxes are paid, and no money can be borrowed. Mr. Neckar was yesterday to give in a memoir to the Assembly on this subject. I think they will give him leave to put into execution any plan he pleases, so as to debarrass themselves of this, and take up that of the constitution. No plan is yet reported; but the leading members (with some small difference of opinion) have in contemplation the following. The executive power in a hereditary King, with a negative on laws, and power to dissolve the legislature; to be considerably restrained in the making of treaties, and limited in his expenses. The legislative in a House of Representatives. They propose a Senate also, chosen on the plan of our federal Senate by the Provincial Assemblies, but to be for life, of a certain age, (they talk of forty years), and certain wealth (four or five hundred guineas a year) but to have no other power as to laws but to remonstrate against them to the representatives, who will then determine their fate by a simple majority. This you will readily perceive is a mere council of revision, like that of New York, which, in order to be something, must form an alliance with the King, to avail themselves of his veto. The alliance will be useful to both, and to the nation. The representatives to be chosen every two or three years. The judiciary system is less prepared than any other part of the plan; however, they will abolish the parliaments, and establish an order of judges and justices, general and provincial, a good deal like ours, with trial by jury, in criminal cases certainly, perhaps also in civil. The provinces will have assemblies for their provincial government, and the cities a municipal body for municipal government, all founded on the basis of popular election. These subordinate governments, though completely dependent on the general one, will be intrusted with almost the whole of the details which our state governments exercise. They will have their own judiciary, final in all but great cases, the executive business will principally pass through their hands, and a certain local legislature will be allowed them. In short, ours has been professedly their model, in which such changes are made as a difference of circumstances rendered necessary, and some others neither necessary nor advantageous, but into which men will ever run, when versed in theory and new in the practice of government—when acquainted with man only as they see him in their books, and not in the world. This plan will undoubtedly undergo changes in the Assembly, and the longer it is delayed, the greater will be the changes; for that Assembly, or rather the patriotic part of it, hooped together heretofore by a common enemy, are less compact since their victory. That enemy (the civil and ecclesiastical aristocracy) begins to raise its head. The lees, too, of the patriotic party, of wicked principles and desperate fortunes, hoping to pillage something in the wreck of their country, are attaching themselves to the faction of the Duke of Orleans: that faction is caballing with the populace, and intriguing at London, the Hague and Berlin, and have evidently in view the transfer of the crown to the Duke of Orleans. He is a man of moderate understanding, of no principle, absorbed in low vice, and incapable of abstracting himself from the filth of that to direct any thing else. His name and his money, therefore, are mere tools in the hands of those who are duping him. * * * * * * They may produce a temporary confusion, and even a temporary civil war, supported, as they will be, by the money of England; but they cannot have success ultimately. The King, the mass of the substantial people of the whole country, the army, and the influential part of the clergy, form a firm phalanx which must prevail. Should those delays which necessarily attend the deliberations of a body of one thousand two hundred men, give time to this plot to ripen and burst, so as to break up the Assembly before any thing definitive is done, a constitution, the principles of which are pretty well settled in the minds of the Assembly, will be proposed by the national militia, (* * * * *) urged by the individual members of the Assembly, signed by the King, and supported by the nation, to prevail till circumstances shall permit its revision and more regular sanction. This I suppose the *pis aller* of their affairs, while their probable event is a peaceable settlement of them. They fear a war from England, Holland, and Prussia. I think England will give money, but not make war. Holland would soon be a fire, internally, were she to be embroiled in external difficulties. Prussia must know this, and act accordingly.

It is impossible to desire better dispositions towards us, than prevail in this Assembly. Our proceedings have been viewed as a model for them on every occasion; and though in the heat of debate, men are generally disposed to contradict every authority urged by their opponents, ours has been treated like that of the Bible, open to explanation, but not to question. I am sorry that in the moment of such a disposition, any thing should come from us to check it. The placing them on a mere footing with the English will have this effect. When of two nations, the one has engaged herself in a ruinous war for us, has spent her blood and money to save us, has opened her bosom to us in peace, and received us almost on the footing of her own citizens, while the other has moved heaven, earth, and hell to exterminate us in war, has insulted us in all her councils in peace, shut her doors to us in every part where her interests would admit it, libelled us in foreign nations, endeavoured to poison them against the reception of our most precious commodities—to place these two nations on a footing, is to give a great deal more to one than to the other, if the maxim be true, that to make unequal quantities equal, you must add more to one than the other. To say, in excuse, that gratitude is never to enter into the motives of national conduct, is to revive a principle which has been buried for centuries with its kindred principles of the lawfulness of assassination, poison, perjury, &c. All of these were legitimate principles in the dark ages which intervened between antient and modern civilization, but exploded and held in just horror in the eighteenth century. I know but one code of morality for men, whether acting singly or collectively. He who says I will be a rogue when I act in company with a hundred others, but an honest man when I act alone, will be believed in the former assertion, but not in the latter. I would say with the poet, '*hic niger est, hunc tu Romane caveto.*' If the morality of one man produces a just line of conduct in him, acting individually, why should not the morality of one hundred men produce a just line of conduct in them, acting together? But I indulge myself in these reflections because my own feelings run me into them; with you they were always acknowledged. Let us hope that our new government will take some other occasion to shew, that they mean to proscribe no virtue from the canons of their conduct with other nations. In every other instance, the new government has ushered itself to the world as honest, masculine, and dignified. It has shewn genuine dignity, in my opinion, in exploding adulatory titles; they are the offerings of abject baseness, and nourish that degrading vice in the people.

I must now say a word on the declaration of rights you have been so good as to send me. I like it, as far as it goes; but I should have been for going further. For instance, the following alterations and additions would have pleased me. Article 4. 'The people shall not be deprived of their right to speak, to write, or *otherwise* to publish any thing but false facts affecting injuriously the life, liberty, property or reputation of others, or affecting the peace of the confederacy with foreign nations. Article 7. All facts put in issue before any judicature, shall be tried by jury, except, 1, in cases of admiralty jurisdiction, wherein a foreigner shall be interested; 2, in cases cognizable before a court martial, concerning only the regular officers and soldiers of the United States, or members of the militia in actual service in time of war or insurrection; and 3, in impeachments allowed by the constitution. Article 8. No person shall be held in confinement more than —— days after he shall have demanded and been refused a writ of habeas corpus by the judge appointed by law, nor more than —— days after such a writ shall have been served on the person holding him in confinement, and no order given on due examination for his remandment or discharge, nor more than —— hours in any place at a greater distance than —— miles from the usual residence of some judge authorised to issue the writ of habeas corpus; nor shall that writ be suspended for any term exceeding one year, nor in any place more than —— miles distant from the state or encampment of enemies or of insurgents. Article 9. Monopolies may be allowed to persons for their own productions in literature, and their own inventions in the arts, for a term not exceeding —— years, but for no longer term, and no other purpose. Article 10. All troops of the United States shall stand *ipso facto* disbanded, at the expiration of the term for which their pay and subsistence shall have been last voted by Congress, and all officers and soldiers, not natives of the United States, shall be incapable of serving in their armies by land, except during a foreign war.' These restrictions I think are so guarded, as to hinder evil only. However, if we do not have them now, I have so much confidence in my countrymen, as to be satisfied that we shall have them as soon as the degeneracy of our government shall render them necessary.

I have no certain news of Paul Jones. I understand only, in a general way, that some persecution on the part of his officers occasioned his being called to Petersburg, and that though protected against them by the Empress, he is not yet restored to his station. Silas Deane is coming over to finish his days in America, not having one sous to subsist on, elsewhere. He is a wretched monument of the consequences of a departure from right. I will, before my departure, write Colonel Lee fully the measures I pursued to procure success in his business, and which, as yet, offer little hope; and I shall leave it in the hands of Mr. Short to be pursued, if any prospect opens on him. I propose to sail from Havre as soon after the first of October as I can get a vessel; and shall consequently leave this place a week earlier than that. As my daughters will be with me, and their baggage somewhat more than that of mere *voyageuses*, I shall endeavour, if possible, to obtain a passage for Virginia directly. Probably I shall be there by the last of November. If my immediate attendance at New York should be requisite for any purpose, I will leave them with a relation near Richmond, and proceed immediately to New York. But as I do not foresee any pressing purpose for that journey immediately on my arrival, and as it will be a great saving of time to finish at once in Virginia, so as to have no occasion to return there after having once gone on to the northward, I expect to proceed to my own house directly. Staying there two months, (which I believe will be necessary) and allowing for the time I am on the road, I may expect to be at New York in February, and to embark from thence or some eastern port.

You ask me if I would accept any appointment on that side of the water? You know the circumstances which led me from retirement, step by step, and from one nomination to another, up to the present. My object is a return to the same retirement. Whenever, therefore, I quit the present, it will not be to engage in any other office, and most especially any one which would require a constant residence from home. The books I have collected for you will go off for Havre in three or four days, with my baggage. From that port, I shall try to send them by a direct occasion to New York.

I am, with great and sincere esteem,
Dear Sir,
Your affectionate friend and servant,
TH. JEFFERSON.

P. S. I just now learn that Mr. Neckar proposed yesterday to the National Assembly a loan of eighty millions, on terms more tempting to the lender than the former, and that they approved it, leaving him to arrange the details, in order that they might occupy themselves at once about the constitution.
T. J.

TO JAMES MADISON.

Paris, September 6, 1789.

DEAR SIR,

I sit down to write to you, without knowing by what occasion I shall send my letter. I do it, because a subject comes into my head, which I would wish to develope a little more than is practicable in the hurry of the moment of making up general despatches.

The question, whether one generation of men has a right to bind another, seems never to have been started either on this or our side of the water. Yet it is a question of such consequences as not only to merit decision, but place also among the fundamental principles of every government. The course of reflection in which we are immersed here, on the elementary principles of society, has presented this question to my mind; and that no such obligation can be so transmitted, I think very capable of proof. I set out on this ground, which I suppose to be self-evident, that the *earth belongs in usufruct to the living*: that the dead have neither powers nor rights over it. The portion occupied by any individual ceases to be his when himself ceases to be, and reverts to the society. If the society has formed no rules for the appropriation of its lands in severalty, it will be taken by the first occupants, and these will generally be the wife and children of the decedent. If they have formed rules of appropriation, those rules may give it to the wife and children, or to some one of them, or to the legatee of the deceased. So they may give it to his creditor. But the child, the legatee, or creditor, takes it not by natural right, but by a law of the society of which he is a member, and to which he is subject. Then, no man can, by *natural right*, oblige the lands he occupied, or the persons who succeed him in that occupation, to the payment of debts contracted by him. For if he could, he might, during his own life, eat up the usufruct of the lands for several generations to come; and then the lands would belong to the dead, and not to the living, which is the reverse of our principle.

What is true of every member of the society, individually, is true of them all collectively; since the rights of the whole can be no more than the sum of the rights of the individuals. To keep our ideas clear when applying them to a multitude, let us suppose a whole generation of men to be born on the same day, to attain mature age on the same day, and to die on the same day, leaving a succeeding generation in the moment of attaining their mature age, all together. Let the ripe age be supposed of twenty-one years, and their period of life thirty-four years more, that being the average term given by the bills of mortality to persons of twenty-one years of age. Each successive generation would, in this way, come and go off the stage at a fixed moment, as individuals do now. Then, I say, the earth belongs to each of these generations during its course, fully and in its own right. The second generation receives it clear of the debts and incumbrances of the first, the third of the second, and so on. For if the first could charge it with a debt, then the earth would belong to the dead, and not to the living generation. Then, no generation can contract debts greater than may be paid during the course of its own existence. At twenty-one years of age, they may bind themselves and their lands for thirty-four years to come; at twenty-two, for thirty-three; at twenty-three, for thirty-two; and at fifty-four, for one year only: because these are the terms of life which remain to them at the respective epochs. But a material difference must be noted, between the succession of an individual and that of a whole generation. Individuals are parts only of a society, subject to the laws of the whole. These laws may appropriate the portion of land occupied by a decedent, to his creditor rather than to any other, or to his child, on condition he satisfies the creditor. But when a whole generation, that is, the whole society, dies, as in the case we have supposed, and another generation or society succeeds, this forms a whole, and there is no superior who can give their territory to a third society, who may have lent money to their predecessors beyond their faculties of paying.

What is true of generations succeeding one another at fixed epochs, as has been supposed for clearer conception, is true for those renewed daily, as in the actual course of nature. As a majority of the contracting generation will continue in being thirty-four years, and a new majority will then come into possession, the former may extend their engagements to that term, and no longer. The conclusion, then, is, that neither the representatives of a nation, nor the whole nation itself assembled, can validly engage debts beyond what they may pay in their own time; that is to say, within thirty-four years from the date of the engagement.

To render this conclusion palpable, suppose that Louis the XIV. and XV. had contracted debts in the name of the French nation, to the amount of ten thousand milliards, and that the whole had been contracted in Holland. The interest of this sum would be five hundred milliards, which is the whole rent-roll or net proceeds of the territory of France. Must the present generation of men have retired from the territory in which nature produces them, and ceded it to the Dutch creditors? No; they have the same rights over the soil on which they were produced, as the preceding generations had. They derive these rights not from them, but from nature. They, then, and their soil, are, by nature, clear of the debts of their predecessors. To present this in another point of view, suppose Louis XV. and his contemporary generation, had said to the money-lenders of Holland, give us money, that we may eat, drink, and be merry in our day; and on condition you will demand no interest till the end of thirty-four years, you shall then, for ever after, receive an annual interest of fifteen per cent. The money is lent on these conditions, is divided among the people, eaten, drunk, and squandered. Would the present generation be obliged to apply the produce of the earth and of their labour, to replace their dissipations? Not at all.

I suppose that the received opinion, that the public debts of one generation devolve on the next, has been suggested by our seeing, habitually, in private life, that he who succeeds to lands is required to pay the debts of his predecessor; without considering that this requisition is municipal only, not moral, flowing from the will of the society, which has found it convenient to appropriate the lands of a decendent on the condition of a payment of his debts; but that between society and society, or generation and generation, there is no municipal obligation, no umpire but the law of nature.

The interest of the national debt of France being, in fact, but a two thousandth part of its rent-roll, the payment of it is practicable enough; and so becomes a question merely of honour or of expediency. But with respect to future debts, would it not be wise and just for that nation to declare, in the constitution they are forming, that neither the legislature nor the nation itself, can validly contract more debt than they may pay within their own age, or within the term of thirty-four years? And that all future contracts shall be deemed void, as to what shall remain unpaid at the end of thirty-four years from their date? This would put the lenders, and the borrowers also, on their guard. By reducing too the faculty of borrowing within its natural limits, it would bridle the spirit of war, to which too free a course has been procured by the inattention of money-lenders to this law of nature, that succeeding generations are not responsible for the preceding.

On similar ground it may be proved that no society can make a perpetual constitution, or even a perpetual law. The earth belongs always to the living generation: they may manage it, then, and what proceeds from it, as they please, during their usufruct. They are masters, too, of their own persons, and consequently may govern them as they please. But persons and property make the sum of the objects of government. The constitution and the laws of their predecessors are extinguished then, in their natural course, with those whose will gave them being. This could preserve that being, till it ceased to be itself, and no longer. Every constitution, then, and every law, naturally expires at the end of thirty-four years. If it be enforced longer, it is an act of force, and not of right. It may be said that the succeeding generation, exercising, in fact, the power of repeal, this leaves them as free as if the constitution or law had been expressly limited to thirty-four years only. In the first place, this objection admits the right in proposing an equivalent: but the power of repeal is not an equivalent. It might be, indeed, if every form of government were so perfectly contrived that the will of the majority could always be obtained, fairly and without impediment; but this is true of no form. The people cannot assemble themselves: their representation is unequal and vicious. Various checks are opposed to every legislative proposition. Factions get possession of the public councils; bribery corrupts them; personal interest leads them astray from the general interests of their constituents; and other impediments arise, so as to prove to every practical man that a law of limited duration is much more manageable than one which needs a repeal.

This principle, that the earth belongs to the living and not to the dead, is of very extensive application and consequences in every country, and most especially in France. It enters into the resolution of the questions, whether the nation may change the descent of lands holden in tail; whether they may change the appropriation of lands given antiently to the church, to hospitals, colleges, orders of chivalry, and otherwise in perpetuity; whether they may abolish the charges and privileges attached on lands, including the whole catalogue, ecclesiastical and feudal; it goes to hereditary offices, authorities, and jurisdictions,—to hereditary orders, distinctions and appellations,—to perpetual monopolies in commerce, the arts or sciences, with a long train of *et cæteras;* and it renders the question of reimbursement, a question of generosity and not of right. In all these cases, the legislature of the day could authorize such appropriations and establishments for their own time, but no longer; and the present holders, even where they or their ancestors have purchased, are in the case of *bonâ fidè* purchasers of what the seller had no right to convey.

Turn this subject in your mind, my dear Sir, and particularly as to the power of contracting debts, and develope it with that cogent logic which is so peculiarly yours. Your station in the councils of our country gives you an opportunity of producing it to public consideration, of forcing it into discussion. At first blush it may be laughed at, as the dream of a theorist; but examination will prove it to be solid and salutary. It would furnish matter for a fine preamble to our first law for appropriating the public revenue: and it will exclude, at the threshold of our new government, the ruinous and contagious errors of this quarter of the globe, which have armed despots with means which nature does not sanction, for binding in chains their fellow men. We have already given, in example, one effectual check to the dog of war, by transferring the power of declaring war from the executive to the legislative body, from those who are to spend, to those who are to pay. I should be pleased to see this second obstacle held out by us also, in the first instance. No nation can make a declaration against the validity of long contracted debts, so disinterestedly as we, since we do not owe a shilling which will not be paid, principal and interest, by the measures you have taken, within the time of our own lives. I write you no news, because when an occasion occurs, I shall write a separate letter for that.

I am always, with great and sincere esteem,
Dear Sir,
Your affectionate friend and servant,
TH. JEFFERSON.

THOMAS JEFFERSON TO DR. GEM.

The hurry in which I wrote my letter to Mr. Madison, which is in your hands, occasioned an inattention to the difference between generations succeeding each other at fixed epochs, and generations renewed daily and hourly. It is true that, in the former case, the generation when at twenty-one years of age may contract a debt for thirty-four years, because a majority of them will live so long. But a generation consisting of all ages, and which legislates by all its members above the age of twenty-one years, cannot contract for so long a time, because their majority will be dead much sooner. Buffon gives us a table of twenty-three thousand nine hundred and ninety-four deaths, stating the ages at which they happened. To draw from these the result I have occasion for, I suppose a society in which twenty-three thousand nine hundred and ninety-four persons are born every year, and live to the age stated, in Buffon's table. Then, the following inferences may be drawn. Such a society will consist constantly of six hundred and seventeen thousand seven hundred and three persons, of all ages. Of those living at any one instant of time, one half will be dead in twenty-four years and eight months. In such a society, ten thousand six hundred and seventy-five, will arrive every year at the age of twenty-one years complete. It will constantly have three hundred and forty-eight thousand four hundred and seventeen persons of all ages, above twenty-one years, and the half of those of twenty-one years and upwards, living at any one instant of time, will be dead in eighteen years and eight months, or say nineteen years.

Then, the contracts, constitutions, and laws of every such society become void in nineteen years from their date.

TO GENERAL KNOX.

Paris, September 12, 1789.

SIR,

In a letter which I had the honour of writing to the Secretary for Foreign Affairs, some three or four years ago, I informed him that a workman here, had undertaken, by the help of moulds and other means, to make all the parts of the musket so exactly alike as that, mixed together promiscuously, any one part should serve equally for every musket. He had then succeeded as to the lock both of the officer's fusil and the soldier's musket. From a promiscuous collection of parts, I put together myself half a dozen locks, taking the first pieces which came to hand. He has now completed the barrel, stock, and mounting of the officer's fusil, and is proceeding on those of the soldier's musket. This method of forming the fire-arm appears to me so advantageous when repairs become necessary, that I thought it my duty not only to mention to you the progress of this artist, but to purchase and send you half a dozen of his officer's fusils. They are packed in a box marked T. J. No. 36, and are sent to Havre, from whence they shall be forwarded to New York. The barrels and furniture are to their stocks, to prevent the warping of the wood. The locks are in pieces. You will find with them tools for putting them together, also a single specimen of his soldier's lock. He formerly told me, and still tells me, that he shall be able, after a while, to furnish them cheaper than the common musket of the same quality, but at first they will not be so cheap in the first cost, though the economy in repairs will make them so in the end. He cannot tell me exactly at what price he can furnish them. Nor will he be able, immediately, to furnish any great quantity annually; but with the aid of the government, he expects to enlarge his establishment greatly. If the situation of the finances of this country should oblige the government to abandon him, he would prefer removing with all his people and implements to America, if we should desire to establish such a manufacture, and he would expect our government to take all his implements, on their own account, at what they have cost him. He talked of about three thousand guineas. I trouble you with these details, and with the samples, 1. That you may give the idea of such an improvement to our own workmen, if you think it might answer any good end. 2. That all the arms he shall have for sale, may be engaged for our government, if he continues here, and you think it important to engage them. 3. That you may consider, and do me the honour of communicating your determination, whether, in the event of his establishment being abandoned by this government, it might be thought worth while to transfer it to the United States, on conditions somewhat like those he has talked of.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO E. RUTLEDGE.

Paris, September 18, 1789.

DEAR SIR,

I have duly received your favour by Mr. Cutting, inclosing the paper from Doctor Trumbull, for which I am very thankful. The conjecture that inhabitants may have been carried from the coast of Africa to that of America, by the trade winds, is possible enough; and its probability would be greatly strengthened by ascertaining a similarity of language, which I consider as the strongest of all proofs of consanguinity among nations. Still a question would remain between the red men of the eastern and western sides of the Atlantic, which is the stock, and which the shoot? If a fact be true, which I suspect to be true, that there is a much greater number of radical languages among those of America than among those of the other hemisphere, it would be a proof of superior antiquity, which I can conceive no arguments strong enough to overrule.

When I received your letter, the time of my departure was too near, to permit me to obtain information from Constantinople, relative to the demand and price of rice there. I therefore wrote to a merchant at Marseilles, concerned in the Levant trade, for the prices current of rice at Constantinople and at Marseilles for several years past. He has sent me only the present price at Marseilles, and that of a particular cargo at Constantinople. I send you a copy of his letter. The Algerines form an obstacle; but the object of our commerce in the Mediterranean is so immense, that we ought to surmount that obstacle, and I believe it could be done by means in our power, and which, instead of fouling us with the dishonourable and criminal baseness of France and England, will place us in the road to respect with all the world.

I have obtained, and inclose to you, a state of all the rice imported into this country in the course of one year, which shews its annual consumption to be between eighty-one and eighty-two thousand quintals. I think you may supplant all the other furnishing States, except as to what is consumed at Marseilles and its neighbourhood. In fact, Paris is the place of main consumption. Havre, therefore, is the port of deposit, where you ought to have one or two honest, intelligent and active consignees. The ill success of a first or second experiment should not damp the endeavours to open this market fully, but the obstacles should be forced by perseverance. I have obtained from different quarters seeds of the dry rice; but having had time to try them, I find they will not vegetate, having been too long kept. I have still several other expectations from the East Indies. If this rice be as good, the object of health will render it worth experiment with you. Cotton is a precious resource, and which cannot fail with you. I wish the cargo of olive plants sent by the way of Baltimore, and that which you will perceive my correspondent is preparing now to send, may arrive to you in good order. This is the object for the patriots of your country; for that tree, once established there, will be the source of the greatest wealth and happiness. But to insure success, perseverance may be necessary. An essay or two may fail. I think, therefore, that an annual sum should be subscribed, and it need not be a great one. A common country labourer should be engaged to make it his sole occupation, to prepare and pack plants and berries at Marseilles, and in the autumn to go with them himself through the canal of Languedoc to Bordeaux, and there to stay with them till he can put them on board a vessel bound directly to Charleston; and this repeated annually, till you have a sufficient stock insured, to propagate from without further importation. I should guess that fifty guineas a year would do this, and if you think proper to set such a subscription afoot, write me down for ten guineas of the money, yearly, during my stay in France, and offer my superintendance of the business on this side the water, if no better can be had.

Mr. Cutting does full justice to the honourable dispositions of the legislature of South Carolina towards their foreign creditors. None have yet come into the propositions sent to me, except the Van Staphorsts.

The danger of famine here, has not ceased with a plentiful harvest. A new and unskilful administration has not yet got into the way of bringing regular supplies to the Capital. We are in danger of hourly insurrection for the want of bread; and an insurrection once begun for that cause, may associate itself with those discontented for other causes, and produce incalculable events. But if the want of bread does not produce a commencement of disorder, I am of opinion the other discontents will be stifled, and a good and free constitution established without opposition. In fact, the mass of the people, the clergy and army (excepting the higher orders of the three bodies) are in as compact an union as can be. The National Assembly have decided that their executive shall be hereditary, and shall have a suspensive negative on the laws; that the legislature shall be of one House, annual in its sessions and biennial in its elections. Their declaration of rights will give you their other general views. I am just on my departure for Virginia, where the arrangement of my affairs will detain me the winter; after which (say in February) I shall go on to New York, to embark from some northern port for France. In the meanwhile and always,

I am, with great and sincere esteem,
Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO JOHN JAY.

Paris, September 19, 1789.

Sir,

I had the honour of addressing you on the 30th of the last month. Since that, I have taken the liberty of consigning to you a box of officer's muskets, containing half a dozen, made by the person and on the plan which I mentioned to you in a letter which I cannot turn to at this moment, but I think it was of the year 1785. A more particular account of them you will find in the enclosed copy of a letter which I have written to General Knox. The box is marked T. J. No. 36, is gone to Havre, and will be forwarded to you by the first vessel bound to New York, by Mr. Nathaniel Cutting, an American gentleman, establishing himself there.

Recalling to your mind the account I gave you of the number and size of ships fitted out by the English last year, for the northern whale fishery, and comparing with it what they have fitted out this year, for the same fishery, the comparison will stand thus:

Years.	Vessels.	Tons.	Men.
1788.	255	75,436	10,710
1789.	178	51,473	7,476
Difference,	77	23,963	3,234

By which you will perceive, that they have lost a third of that fishery in one year, which I think almost entirely, if not quite, ascribable to the shutting the French ports against their oil. I have no account of their southern fishery of the present year.

As soon as I was informed that our bankers had the money ready for the redemption of our captives, I went to the General of the order of the Holy Trinity, who retained all his dispositions to aid us in that business. Having a very confidential agent at Marseilles, better acquainted than himself with the details, he wrote to him for his opinion and information on the subject. I inclose you a copy of his answer, the original of which was communicated to me. I thereupon have authorised the General to go as far as three thousand livres a head, for our captives, and for this purpose, to adopt the plan proposed, of sending one of his own religion at our expense (which will be small), or any other plan he think sbest. The honesty and goodness of his character places us in safety in his hands. To leave him without any hesitation in engaging himself for such a sum of money, it was necessary to deposit it in a banker's hands here. Mr. Grand's were agreeable to him, and I have therefore desired our banker at Amsterdam to remit it here. I do not apprehend, in the progress of the present revolution, any thing like a general bankruptcy which should pervade the whole class of bankers. Were such an event to appear imminent, the excessive caution of the house of Grand and Company, establishes it, in the general opinion, as the last that would give way, and consequently would give time to withdraw this money from their hands. Mr. Short will attend to this, and will withdraw the money on the first well founded appearance of danger. He has asked me what he shall do with it? Because it is evident, that when Grand cannot be trusted, no other individual at Paris can, and a general bankruptcy can only be the effect of such disorders as would render every private house an insecure deposit. I have not hesitated to say to him, in such an event, 'pay it to the government.' In this case, it becomes only a change of destination, and no loss at all. But this has passed between us for greater caution only, and on the worst case supposable: for though a suspension of payment by government might affect the bankers a little, I doubt if any of them have embarked so much in the hands of government as to endanger failure, and especially as they have had such long warning.

You will have known, that the ordinance passed by M. de Chillon in St. Domingo, for opening ports to our importations in another part of the island, was protested against by Marbois. He had always led the Count de la Luzerne by the nose, while Governor of that island. Marbois' representations, and Luzerne's prepossessions against our trade with their colonies, occasioned him, as minister of that department, not only to reverse the ordinance, but to recal Chillon and send out a successor. Chillon has arrived here, and having rendered himself very popular in the islands, their deputies in the National Assembly have brought the question before them. The Assembly has done nothing more, as yet, than to appoint a committee of inquiry. So much of Chillon's ordinance as admitted the importation of our provisions, is continued for a time. M. de Marbois, too, is recalled, I know not why or how. M. de la Luzerne's conduct will probably come under view only incidentally to the general question urged by the colony deputies, whether they shall not be free, in future, to procure provisions where they can procure them cheapest?

But the deputies are disposed to treat M. de la Luzerne roughly. This, with the disgrace of his brother, the Bishop de Langres, turned out of the presidentship of the National Assembly, for partiality in office to the aristocratic principles, and the disfavour of the Assembly towards M. de la Luzerne himself, as having been formerly of the *plot* (as they call it) with Breteuil and Broglio, will probably occasion him to be out of office soon.

The treasury board have no doubt attended to the necessity of giving timely orders for the payment of the February interest at Amsterdam. I am well informed that our credit is now the first at that exchange, (England not borrowing at present.) Our five per cent. bonds have risen to ninety-seven and ninety-nine. They have been heretofore at ninety-three. There are, at this time, several companies and individuals here, in England and Holland, negotiating to sell large parcels of our *liquidated debt*. A bargain was concluded by one of these the other day, for six hundred thousand dollars. In the present state of our credit, every dollar of this debt will probably be transferred to Europe within a short time.

September the 20th. The combination of bankers and other ministerial tools, had led me into the error (when I wrote my last letter) into which they had led most people, that the loan lately opened here went on well. The truth is, that very little has been borrowed, perhaps not more than six or eight millions. The king and his ministers were yesterday to carry their plate to the mint. The ladies are giving up their jewels to the National Assembly. A contribution of plate in the time of Louis XV. is said to have carried about eight millions to the treasury. Plate is much more common now, and, therefore, if the example prevail now in the same degree it did then, it will produce more. The contribution of jewels will hardly be general, and will be unproductive. Mr. Neckar is, on the 25th, to go to the Assembly, to make some proposition. The hundredth penny is talked of.

The Assembly proceeds slowly in the forming their constitution. The original vice of their numbers causes this, as well as a tumultuous manner of doing business. They have voted that the elections of the legislature shall be biennial; that it shall be of a single body; but they have not yet decided what shall be its number, or whether they shall be all in one room, or in two (which they call a division into sections). They have determined that the King shall have a *suspensive and iterative veto:* that is, that after negativing a law, it cannot be presented again till after a new election. If he negatives it then, it cannot be presented a third time till after another new election. If it be then presented, he is obliged to pass it. This is perhaps justly considered as a more useful negative than an absolute one, which a King would be afraid to use. Mr. Neckar's influence with the Assembly is nothing at all. Having written to them by order of the King, on the subject of the veto, before it was decided, they refused to let his letter be read. Again, lately, when they desired the sanction of the King to their proceedings of the fourth of August, he wrote, in the King's name, a letter to them, remonstrating against an immediate sanction to the whole; but they persisted, and the sanction was given. His disgust at this want of influence, together with the great difficulties of his situation, make it believed that he is desirous of resigning. The public stocks were extremely low the day before yesterday. The *caisse d'escompte* at three thousand six hundred and forty, and the loan of one hundred and twenty-five millions, of 1784, was at fifteen per cent. loss. Yesterday they rose a little.

The sloth of the Assembly (unavoidable from their number) has done the most sensible injury to the public cause. The patience of a people who have less of that quality than any other nation in the world, is worn thread-bare. Time has been given to the aristocrats to recover from their panic, to cabal, to sow dissensions in the Assembly, and distrust out of it. It has been a misfortune, that the King and aristocracy together have not been able to make a sufficient resistance, to hoop the patriots in a compact body. Having no common enemy of such force as to render their union necessary, they have suffered themselves to divide. The Assembly now consists of four distinct parties. 1. The aristocrats, comprehending the higher members of the clergy, military, nobility, and the parliaments of the whole kingdom. This forms a head without a body. 2. The moderate royalists, who wish for a constitution nearly similar to that of England. 3. The republicans, who are willing to let their first magistracy be hereditary, but to make it very subordinate to the legislature, and to have that legislature consist of a single chamber. 4. The faction of Orleans. The second and third descriptions are composed of honest, well-meaning men, differing in opinion only, but both wishing the establishment of as great a degree of liberty as can be preserved. They are considered together as constituting the patriotic part of the Assembly, and they are supported by the soldiery of the army, the soldiery of the clergy, that is to say, the curés and monks, the dissenters, and part of the nobility, which is small, and the substantial bourgeois of the whole nation. The part of these collected in the cities have formed themselves into municipal bodies, have chosen municipal representatives, and have organised an armed corps, considerably more numerous, in the whole, than the regular army. They have also the ministry, such as it is, and, as yet, the King. Were the second and third parties, or rather these sections of the same party, to separate entirely, this great mass of power and wealth would be split, nobody knows how. But I do not think they will separate; because they have the same honest views; because, each being confident of the rectitude of the other, there is no rancour between them; because they retain the desire of coalescing. In order to effect this, they not long ago proposed a conference, and desired it might be at my house, which gave me an opportunity of judging of their views. They discussed together their points of difference for six hours, and in the course of discussion agreed on mutual sacrifices. The effect of this agreement has been considerably defeated by the subsequent proceedings of the Assembly, but I do not know that it has been through any infidelity of the leaders to the compromise they had agreed on. Another powerful bond of union between these two parties, is our friend the Marquis de la Fayette. He left the Assembly while they as yet formed but one party. His attachment to both is equal, and he labours incessantly to keep them together. Should he be obliged to take part against either, it will be against that which shall first pass the rubicon of reconciliation with the other. I should hope, in this event, that his weight would be sufficient to turn the scale decidedly in favour of the other. His command of the armed militia of Paris, (thirty thousand in number, and comprehending the French guards, who are five thousand regulars), and his influence with the municipality, would secure their city: and though the armed militia and municipalities of the other cities are in no wise subordinate to those of Paris, yet they look up to them with respect, and look particularly to the Marquis de la Fayette, as leaning always to the rights of the people. This turn of things is so probable, that I do not think either section of the patriots will venture on any act which will place themselves in opposition to him.

This being the face of things, troubled as you will perceive, civil war is much talked of and expected; and this talk and expectation has a tendency to beget it. What are the events which may produce it? 1. The want of bread, were it to produce a commencement of disorder, might ally itself to more permanent causes of discontent, and thus continue the effect beyond its first cause. The scarcity of bread, which continues very great amidst a plenty of corn, is an enigma which can be solved only by observing, that the furnishing the city is in the new municipality, not yet masters of their trade. 2. A public bankruptcy. Great numbers of the lower as well as higher classes of the citizens, depend for subsistence on their property in the public funds. 3. The absconding of the King from Versailles. This has for some time been apprehended as possible. In consequence of this apprehension, a person, whose information would have weight, wrote to the Count de Montmorin, adjuring him to prevent it by every possible means, and assuring him that the flight of the King would be the signal of a St. Barthélémi against the aristocrats in Paris, and perhaps through the kingdom. M. de Montmorin showed the letter to the Queen, who assured him solemnly that no such thing was in contemplation. His shewing it to the Queen, proves he entertained the same mistrust with the public. It may be asked, what is the Queen disposed to do in the present situation of things? Whatever rage, pride, and fear can dictate in a breast which never knew the presence of one moral restraint.

Upon the whole, I do not see it as yet probable that any actual commotion will take place; and if it does take place, I have strong confidence that the patriotic party will hold together, and their party in the nation be what I have described it. In this case, there would be against them the aristocracy and the faction of Orleans. This consists, at this time, of only the Catalines of the Assembly, and some of the lowest descriptions of the mob. Its force, *within the kingdom*, must depend on how much of this last kind of people it can debauch with money from its present bias to the right cause. This bias is as strong as any one can be, in a class which must accept its bread from him who will give it. Its resources *out of the kingdom* are not known. Without doubt, England will give money to produce and to feed the fire which should consume this country; but it is not probable she will engage in open war for that. If foreign troops should be furnished, it would be most probably by the King of Prussia, who seems to offer himself as the bull-dog of tyranny to all his neighbours. He might, too, be disturbed by the contagion of the same principles gaining his own subjects, as they have done those of the Austrian Netherlands, Liege, Cologne, and Hesse Cassel. The army of the latter Prince, joining with his subjects, are said to have possessed themselves of the treasures he had amassed by hiring troops to conquer us, and by other iniquities. Fifty-four millions of livres is the sum mentioned. But all these means, external and internal, must prove inadequate to their ultimate object, if the nation be united as it is at present. Expecting within a few days to leave Paris, and that this is my last letter on public subjects, I have indulged myself in giving you a general view of things, as they appear to me at the time of my leaving them. Mr. Short will have the honour of continuing the narration, and of correcting it, where circumstances unknown or unforeseen may give a different turn to events.

I have the honour to be,
With sentiments of the most perfect esteem and respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. NECKAR.

Paris, September 26, 1789.

SIR,

I had the honour of waiting on you at Versailles, the day before yesterday, in order to present my respects on my departure to America. I was unlucky in the moment, as it was one in which you were gone out.

I wished to have put into your hands, at the same time, the inclosed state of the British northern fishery for the years 1788 and 1789, by which you will see that they have lost in one year, one third of that fishery, the effect, almost solely, of the *Arret* which shut the ports of France to their oils.

I wished also to know, whether, while in America, I could be useful towards encouraging supplies of provision to be brought to this country the ensuing year. I am persuaded a considerable relief to the city of Paris might be obtained, by permitting the importation of salted provisions from the United States. Our salted beef, particularly, (which, since the war, we have learned to prepare in the Irish manner, so as to be as good as the best of that country) could be sold out to the people of Paris, for the half of what they pay for fresh meat. It would seem, then, that the labourer paying but half the usual price for his meat, might pay the full price of his bread, and so relieve government from its loss on that article. The interest of the *gabelles* has been an objection, hitherto, to the importation of salted provisions. But that objection is lessened by the reduction of the price of salt, and done away, entirely, by the desire of the present government to consider the ease and happiness of the people as the first object. In every country as fully peopled as France, it would seem good policy to encourage the employment of its lands in the cultivation of corn, rather than in pasturage, and consequently to encourage the use of all kinds of salted provisions, because they can be imported from other countries. It may be apprehended, that the Parisian, habituated to fresh provisions, would not use salted. Then he would not buy them, and of course they would not be brought, so that no harm can be done by the permission. On the contrary, if the people of Paris should readily adopt the use of salted provisions, the good would result which is before mentioned. Salt meat is not so good as fresh for soups, but it gives a higher flavour to the vegetables boiled with it. The experience of a great part of America, which is fed almost entirely on it, proves it to be as wholesome as fresh meat. The sea scurvy, ascribed by some to the use of salt meat, is equally unknown in America as in Europe. It is the want of vegetables at sea which produces the scurvy. I have thus hastily mentioned reasons and objections, to save you the time and trouble of recollecting them. To you, Sir, it suffices barely to mention them. Mr. Short, chargé des affaires for the United States, will have the honour of delivering you this, and of giving you any further details which you may be pleased to require.

I shall hope, on my return in the spring, to find your health re-established, and your mind relieved by a perfect settlement of the affairs of the nation; and with my felicitations on those accounts, to express to you those sentiments of profound respect and attachment, with which

I have the honour to be,
Your Excellency's most obedient and most humble servant,
TH. JEFFERSON.

TO JOHN JAY.

Havre, September 30, 1789.

DEAR SIR,

No convenient ship having offered from any port of France, I have engaged one from London to take me up at Cowes, and am so far on my way thither. She will land me at Norfolk, and as I do not know any service that would be rendered by my repairing immediately to New York, I propose, in order to economise time, to go directly to my own house, get through the business which calls me there, and then repair to New York, where I shall be ready to re-embark for Europe. But should there be any occasion for government to receive any information I can give, immediately on my arrival, I will go to New York on receiving your orders at Richmond. They may probably be there before me, as this goes by Mr. Trumbull, bound directly for New York.

I inclose you herewith the proceedings of the National Assembly on Saturday last, wherein you will perceive that the committee had approved the plan of Mr. Neckar. I can add, from other sure information received here, that the Assembly adopted it the same evening. This plan may possibly keep their payments alive till their new government gets into motion; though I do not think it very certain. The public stocks lowered so exceedingly the last days of my stay at Paris, that I wrote to our bankers at Amsterdam, to desire they would retain till further orders the thirty-thousand gilders, or so much of it as had not yet come on. And as to what might be already coming on, I recommended to Mr. Short to go and take the acceptance himself, and keep the bill in his own hands till the time of payment. He will by that time see what is best to be done with the money.

In taking leave of Monsieur de Montmorin, I asked him whether their West India ports would continue open to us a while? He said they would be immediately declared open till February, and we may be sure they will be so till the next harvest. He agreed with me, that there would be two or three months' provision for the whole kingdom wanting for the ensuing year. The consumption of bread for the whole kingdom is two millions of livres tournois, a day. The people pay the real price of their bread every where except at Paris and Versailles. There the price is suffered to vary very little as to them, and government pays the difference. It has been supposed that this difference, for some time past, has cost a million a week. I thought the occasion favorable to propose to Monsieur de Montmorin the free admission of our salted provisions, observing to him, particularly, that our salted beef from the eastern States, could be dealt out to the people of Paris for five or six sols the pound, which is but half the common price they pay for fresh beef; that the Parisian paying less for his meat, might pay more for his bread, and so relieve government from its enormous loss on that article. His idea of this resource seemed unfavourable. We talked over the objections of the supposed unhealthiness of that food, its tendency to produce scurvy, the chance of its taking with a people habituated to fresh meat, their comparative qualities of rendering vegetables eatable, and the interests of the gabelles. He concluded with saying the experiment might be tried, and with desiring me to speak with Mr. Neckar. I went to Mr. Neckar, but he had gone to the National Assembly. On my return to Paris, therefore, I wrote to him on the subject, going over the objections which Monsieur de Montmorin had started. Mr. Short was to carry the letter himself, and to pursue the subject.

Having observed that our commerce to Havre is considerably on the increase, and that most of our vessels coming there, and especially those from the eastward, are obliged to make a voyage round to the neighbourhood of the Loire and Garonne for salt, a voyage attended with expense, delay, and more risk, I have obtained from the Farmers General, that they shall be supplied from their magazines at Honfleur, opposite to Havre, at a mercantile price. They fix it at present at sixty livres the *muid*, which comes to about fifteen sous, or seven and a half pence sterling our bushel; but it will vary as the price varies at the place from which they bring it. As this will be a great relief to such of our vessels coming to Havre, as might wish to take back salt, it may perhaps be proper to notify it to our merchants. I inclose herewith, Mr. Neckar's discourse to the Assembly, which was not printed till I left Paris: and have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE PRESIDENT.

Chesterfield, December 15, 1789.

SIR,

I have received at this place the honour of your letters of October the 13th and November the 30th, and am truly flattered by your nomination of me to the very dignified office of Secretary of State; for which, permit me here to return you my humble thanks. Could any circumstance seduce me to overlook the disproportion between its duties and my talents, it would be the encouragement of your choice. But when I contemplate the extent of that office, embracing as it does the principal mass of domestic administration, together with the foreign, I cannot be insensible of my inequality to it; and I should enter on it with gloomy forebodings from the criticisms and censures of a public, just indeed in their intentions, but sometimes misinformed and misled, and always too respectable to be neglected. I cannot but foresee the possibility that this may end disagreeably for me, who, having no motive to public service but the public satisfaction, would certainly retire the moment that satisfaction should appear to languish. On the other hand, I feel a degree of familiarity with the duties of my present office, as far at least as I am capable of understanding its duties. The ground I have already passed over enables me to see my way into that which is before me. The change of government too, taking place in the country where it is exercised, seems to open a possibility of procuring from the new rulers some new advantages in commerce, which may be agreeable to our countrymen. So that as far as my fears, my hopes, or my inclination might enter into this question, I confess they would not lead me to prefer a change.

But it is not for an individual to choose his post. You are to marshal us as may best be for the public good; and it is only in the case of its being indifferent to you, that I would avail myself of the option you have so kindly offered in your letter. If you think it better to transfer me to another post, my inclination must be no obstacle; nor shall it be, if there is any desire to suppress the office I now hold, or to reduce its grade. In either of these cases, be so good only as to signify to me by another line your ultimate wish, and I shall conform to it cordially. If it should be to remain at New York, my chief comfort will be to work under your eye, my only shelter the authority of your name, and the wisdom of measures to be dictated by you and implicitly executed by me. Whatever you may be pleased to decide, I do not see that the matters which have called me hither, will permit me to shorten the stay I originally asked; that is to say, to set out on my journey northward till the month of March. As early as possible in that month, I shall have the honour of paying my respects to you in New York. In the mean time, I have that of tendering you the homage of those sentiments of respectful attachment, with which I am,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO HENRY LAURENS, ESQUIRE.

New York, March 31, 1790.

SIR,

Encroachments being made on the eastern limits of the United States, by settlers under the British government, pretending that it is the western and not the eastern river of the bay of Passamaquoddy, which was designated by the name of St. Croix in the treaty of peace with that nation, I have to beg the favour of you to communicate any facts which your memory or papers may enable you to recollect, and which may indicate the true river the commissioners on both sides had in their view to establish as the boundary between the two nations. It will be of some consequence to be informed by what map they traced the boundary.

I have the honour to be, with the greatest respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. VANDERKEMP.

New York, March 31, 1790.

SIR,

The letter has been duly received which you addressed to the President of the United States, praying his interference with the government of the United Netherlands, on the subject of property you left there on coming to America. I have it in charge to inform you, that the United States have at present no minister at the Hague, and consequently no channel through which they could express their concern for your interests. However willing, too, we are to receive and protect all persons who come hither, with the property they bring, perhaps it may be doubted how far it would be expedient to engage ourselves for what they leave behind, or for any other matter retrospective to their becoming citizens. In the present instance, we hope that no confiscation of the residuum of your property left in the United Netherlands having taken place, the justice of that government will leave you no occasion for that interference which you have been pleased to ask from this.

I have the honour to be,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GEORGE JOY.

New York, March 31, 1790.

SIR,

I have considered your application for sea letters for the ship Eliza, and examined into the precedents which you supposed might influence the determination. The resolution of Congress, which imposes this duty on the Secretary for Foreign Affairs, provides expressly, "that it be made to appear to him by oath or affirmation, or *by such other evidence as shall by him be deemed satisfactory*, that the vessel is commanded by officers, citizens of the United States." Your affidavit satisfies me that one of the officers is a citizen of the United States; but you are unacquainted with the others, and without evidence as to them, and even without a presumption that they are citizens, except so far as arises on the circumstances of the captain's being an American, and the ship sailing from an American port. Now, I cannot in my conscience say, that this is *evidence of the fact, satisfactory to my mind.* The precedents of relaxation by Mr. Jay, were all between the date of the resolution of Congress (February the 12th, 1788) and his public advertisement, announcing the evidence which must be produced. Since this last, the proceedings have been uniform and exact. Having perfect confidence in your good faith, and therefore without a suspicion of any fraud intended in the present case, I could have wished sincerely to grant the sea letter; but besides the letter of the law which ties me down, the public security against a partial dispensation of justice, depends on its being dispensed by certain rules. The slightest deviation in one circumstance, becomes a precedent for another, that for a third, and so on, without bounds. A relaxation in a case where it is certain no fraud is intended, is laid hold of by others afterwards, to cover fraud. I hope, therefore, you will be sensible of the necessity of my adhering to the rules which have been published and practised by my predecessor; and that I am, with great respect,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE COUNT DE MONTMORIN.

New York, April 6, 1790.

SIR,

The President of the United States having thought proper to assign to me other functions than those of their Minister Plenipotentiary near the King, I have the honour of addressing to your Excellency my letters of recal, and of beseeching you to be so good as to present them, with the homage of my respectful adieus, to his Majesty.

It is with great satisfaction that I find myself authorized to conclude, as I had begun my mission, with assurances of the attachment of our government to the King and his people, and of its desire to preserve and strengthen the harmony and good understanding, which has hitherto so happily subsisted between the two nations.

Give me leave to place here, also, my acknowledgments to your Excellency, personally, for the facilities you have been pleased always to give in the negociation of the several matters I have had occasion to treat with you, during my residence at your court. They were ever such as to evince, that the friendly dispositions towards our republic which you manifested even from its birth, were still found consistent with that patriotism of which you have continued to give such constant and disinterested proofs. May this union of interests for ever be the patriot's creed in both countries. Accept my sincere prayers that the King, with life and health, may be long blessed with so faithful and able a servant, and you with a Prince, the model of royal excellence; and permit me to retain to my latest hours, those sentiments of affectionate respect and attachment, with which I have the honour to be,

Your Excellency's
Most obedient and most humble servant,
TH. JEFFERSON.

TO THE COUNT DE MONTMORIN.

New York, April 6, 1790.

SIR,

The President of the United States having been pleased, in the month of June last, to give me leave of absence for some time from the court of France, and to appoint Mr. William Short chargé des affaires for the United States during my absence, and having since thought proper to call me to the office of Secretary of State, comprehending that of Foreign Affairs, I have now the honour of requesting you to give credence to whatever Mr. Short shall say to you on my part. He knows the interest which our republic takes in the prosperity of France, our strong desire to cultivate its friendship, and my zeal to promote it by whatever may depend on my ministry, and I have no doubt he will so conduct himself as to merit your confidence. I avail myself of this occasion of tendering you assurances of the sentiments of respect and esteem, with which I have the honour to be,

Your Excellency's
Most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

New York, April 6, 1790.

SIR,

My last to you was of March the 28th. Since that, yours of the 2d and 6th of January have come to hand, together with the ratification of the consular convention.

I send you herewith a letter from the President to the King, notifying my recal, with a letter of leave to Monsieur de Montmorin, and another of credence for you to the same, all of which you will be pleased to deliver to him. Copies of them are inclosed for your information.

We are extremely mortified at the prospect there is, that the act of justice and gratitude to the court of France, which Congress, in the first moment it ever was in their power, have been, and still are preparing, may arrive too late, to save that court from the necessity of parting with our debt to a disadvantage. The Secretary of the Treasury, having by order of Congress reported a plan for funding both our foreign and domestic debts, they thought it necessary, by a recommitment, to subject that part of it which concerned the domestic debt, to maturer discussion. But the clause 'for making such adequate provision for fulfilling our engagements in respect to our foreign debt,' was not recommitted, because not susceptible of any abridgement or modification. On the contrary, it was passed without a dissenting voice, and only waits till the residue of that system of which it makes a part, can be digested and put into the form of a law. I send you a copy of the resolution, to be communicated to Monsieur de Montmorin and Monsieur Neckar, and anxiously wish it may arrive in time to prevent a disadvantageous alienation, by satisfying these ministers that we are exerting ourselves to repay to that country, in her hour of difficulty, what she generously advanced for us, in ours.

You may remember, I purchased some officer's fusils, had them packed in my presence, and sent with my own baggage to Havre. When they arrived here, the plates and other principal parts of the locks, were no longer in the box. It is necessary, therefore, that the workman send you six new locks, which may be applied to the stocks and barrels we have, and that you be so good as to forward these by the first safe conveyance.

Press the negotiation for our captives, in the line and on the terms I had fixed, not binding us further without further advice, and be pleased to apprise us of its present situation and future progress, as being a subject we have at heart.

The Leyden gazettes furnishing so good information of the interesting scenes now passing in Europe, I must ask your particular attention to the forwarding them as frequently as it is possible to find conveyances. The English papers bring their lies very fresh, and it is very desirable to be provided with an authentic contradiction in the first moment.

You will receive herewith, the newspapers and other interesting papers; as usual.

I have the honour to be, with the most perfect esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE COUNT DE FLORIDA BLANCA.

New York, April 11, 1790.

SIR,

The President of the United States having thought proper to name Mr. William Carmichael their chargé des affaires, near his Catholic Majesty, I have now the honour of announcing the same to your Excellency, and of praying you to give credence to whatever he shall say to you on my part. He knows the concern our republic takes in the interest and prosperity of Spain, our strong desire to cultivate its friendship, and to deserve it by all the good offices which esteem and neighbourhood may dictate: he knows also my zeal to promote these by whatever may depend on my ministry. I have no doubt that Mr. Carmichael will so conduct himself as to merit your confidence; and I avail myself with pleasure of this occasion, of tendering to you assurances of those sentiments of respect and esteem, with which I have the honour to be,

Your Excellency's
Most obedient and most humble Servant,
TH. JEFFERSON.

TO WILLIAM CARMICHAEL.

New York, April 11, 1790.

SIR,

A vessel being about to sail from this port for Cadiz, I avail myself of it to inform you, that under the appointment of the President of the United States, I have entered on the duties of Secretary of State, comprehending the department of Foreign Affairs.

Mr. Jay's letter of October the 2d, acknowledged the receipt of the last of yours which have come to hand. Since that date he wrote you on the 7th of December, inclosing a letter for Mr. Chiappe.

The receipt of his letter of September the 9th, 1788, having never been acknowledged, the contents of which were important and an answer wished for, I send you herewith a duplicate, lest it should have miscarried.

You will also receive herewith, a letter of credence for yourself, to be delivered to the Count de Florida Blanca, after putting thereon the proper address, with which I am unacquainted. A copy of it is inclosed for your information.

I beg leave to recommend the case of Don Blas Gonzalez to your good offices with the court of Spain, enclosing you the documents necessary for its illustration. You will perceive, that two vessels were sent from Boston in the year 1787, on a voyage of discovery and commercial experiment in general, but more particularly to try a fur trade with the Russian settlements, on the north-west coast of our continent, of which such wonders had been published in Captain Cook's voyages, that it excited similar expeditions from other countries also; and that the American vessels were expressly forbidden to touch at any Spanish port, but in cases of extreme distress.

Accordingly, through the whole of their voyage through the extensive latitudes held by that crown, they never put into any port but in a single instance. In passing near the island of Juan Fernandez, one of them was damaged by a storm, her rudder broken, her masts disabled, and herself separated from her companion. She put into the island to refit, and at the same time to wood and water, of which she began to be in want. Don Blas Gonzalez, after examining her, and finding she had nothing on board but provisions and charts, and that her distress was real, permitted her to stay a few days, to refit and take in fresh supplies of wood and water. For this act of common hospitality, he was immediately deprived of his government, unheard, by superior order, and remains still under disgrace. We pretend not to know the regulations of the Spanish government, as to the admission of foreign vessels into the ports of their colonies; but the generous character of the nation is a security to us, that their regulations can, in no instance, run counter to the laws of nature; and among the first of her laws, is that which bids us to succour those in distress. For an obedience to this law, Don Blas appears to have suffered; and we are satisfied, it is because his case has not been able to penetrate to his Majesty's ministers, at least in its true colours. We would not choose to be committed by a formal solicitation, but we would wish you to avail yourself of any good opportunity of introducing the truth to the ear of the minister, and of satisfying him, that a redress of this hardship on the Governor, would be received here with pleasure, as a proof of respect to those laws of hospitality which we would certainly observe in a like case, as a mark of attention towards us, and of justice to an individual for whose sufferings we cannot but feel.

With the present letter, you will receive the public and other papers, as usual, and I shall thank you, in return, for a regular communication of the best gazettes published in Madrid.

I have the honour to be, with sentiments of the most perfect esteem,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. GRAND.

New York, April 23, 1790.

Dear Sir,

You may remember that we were together at the Hôtel de la Monnoye, to see Mr. Drost strike coins in his new manner, and that you were so kind as to speak with him afterwards on the subject of his coming to America. We are now in a condition to establish a mint, and should be desirous of engaging him in it. I suppose him to be at present in the service of Watts and Bolton, the latter of whom you may remember to have been present with us at the Monnoye. I know no means of communicating our dispositions to Drost so effectually as through your friendly agency, and therefore take the liberty of asking you to write to him, to know what emoluments he receives from Watts and Bolton, and whether he would be willing to come to us for the same? If he will, you may give him an expectation, but without an absolute engagement that we will call for him immediately, and that, with himself, we may probably take and pay him for all the implements of coinage he may have, suited to our purpose. If he asks higher terms, he will naturally tell you so, and what they are; and we must reserve a right to consider of them. In either case, I will ask your answer as soon as possible. I need not observe to you, that this negotiation should be known to nobody but yourself, Drost, and Mr. Short. The good old Dr. Franklin, so long the ornament of our country, and I may say, of the world, has at length closed his eminent career. He died on the 17th instant, of an imposthume of his lungs, which having suppurated and burst, he had not strength to throw off the matter, and was suffocated by it. His illness from this imposthume was of sixteen days. Congress wear mourning for him, by a resolve of their body.

I beg you to present my friendly respects to Madame Grand, the elder and younger, and to your son; and believe me to be, with sentiments of great esteem and attachment,

Dear Sir,

Your most obedient and most humble servant,

Th. Jefferson.

TO THE MARQUIS DE LA LUZERNE.

New York, April 30, 1790.

SIR,

When in the course of your legation to the United States, your affairs rendered it necessary that you should absent yourself a while from that station, we flattered ourselves with the hope that that absence was not final. It turned out, in event, that the interests of your sovereign called for your talents and the exercise of your functions, in another quarter. You were pleased to announce this to the former Congress through their Secretary for Foreign Affairs, at a time when that body was closing its administration, in order to hand it over to a government then preparing on a different model. This government is now formed, organized, and in action; and it considers among its earliest duties, and assuredly among its most cordial, to testify to you the regret which the people and government of the United States felt at your removal from among them; a very general and sincere regret, and tempered only by the consolation of your personal advancement, which accompanied it. You will receive, Sir, by order of the President of the United States, as soon as they can be prepared, a medal and chain of gold, of which he desires your acceptance, in token of their esteem, and of the sensibility with which they will ever recal your legation to their memory.

But as this compliment may hereafter be rendered to other missions, from which yours was distinguished by eminent circumstances, the President of the United States wishes to pay you the distinguished tribute of an express acknowledgment of your services, and our sense of them. You came to us, Sir, though all the perils which encompassed us on all sides. You found us struggling and suffering under difficulties, as singular and trying as our situation was new and unprecedented. Your magnanimous nation had taken side with us in the conflict, and yourself became the centre of our common councils, the link which connected our common operations. In that position you laboured without ceasing, till all our labours were crowned with glory to your nation, freedom to ours, and benefit to both. During the whole, we had constant evidence of your zeal, your abilities, and your good faith. We desire to convey this testimony of it home to your own breast, and to that of your sovereign, our best and greatest friend; and this I do, Sir, in the name, and by the express instruction of the President of the United States.

I feel how flattering it is to me, Sir, to be the organ of the public sense on this occasion, and to be justified, by that office, in adding to theirs, the homage of those sentiments of respect and esteem, with which I have the honour to be,

Your Excellency's
Most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

New York, April 30, 1790.

DEAR SIR,

My last letter to you was of the 6th instant, acknowledging the receipt of your favours of the 2d and 6th of January. Since that, Mr. Jay has put into my hands yours of the 12th of January, and I have received your note of February the 10th, accompanying some newspapers.

Mine of the 6th covered the President's letter to the King for my recal, and my letters of leave for myself and of credence to you, for the Count de Montmorin, with copies of them for your information. Duplicates of all these accompany the present; and an original commission for you as chargé des affaires, signed by the President. At the date of my former letters, I had not had time to examine with minuteness the proper form of credentials under our new constitution: I governed myself, therefore, by foreign precedents, according to which a chargé des affaires is furnished with only a letter of credence from one Minister of Foreign Affairs to the other. Further researches have shewn me, that under our new constitution, all commissions (or papers amounting to that) must be signed by the President. You will judge whether any explanation on this subject to M. de Montmorin be necessary. I inclose you also the copy of a letter written to the Marquis de la Luzerne, to be communicated to the Count de Montmorin, and by him to the King, if he thinks proper.

It has become necessary to determine on a present proper to be given to diplomatic characters on their taking leave of us; and it is concluded that a medal and chain of gold will be the most convenient. I have, therefore, to ask the favour of you to order the dies to be engraved with all the despatch practicable. The medal must be of thirty lines diameter, with a loop on the edge to receive the chain. On one side, must be the arms of the United States, of which I send you a written description, and several impressions in wax to render that more intelligible; round them, as a legend, must be 'The United States of America.' The device of the other side we do not decide on. One suggestion has been, a Columbia (a fine female figure) delivering the emblems of peace and commerce to a Mercury, with a legend, 'Peace and Commerce' circumscribed, and the date of our republic, to wit, IV July MDCCLXXVI, subscribed as an exergum: but having little confidence in our own ideas in an art not familiar here, they are only suggested to you, to be altered, or altogether postponed, to such better device as you may approve, on consulting with those who are in the habit and study of medals. Duvivier and Dupré seem to be the best workmen; perhaps the last is the best of the two.

The public papers which accompany this, will give you fully the news of this quarter.

I am, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. DUMAS.

New York, June 23, 1790.

DEAR SIR,

I arrived at this place the latter end of March, and undertook the office to which the President had been pleased to appoint me, of Secretary of State, which comprehends that of Foreign Affairs. Before I had got through the most pressing matters which had been accumulating, a long illness came upon me, and put it out of my power for many weeks to acknowledge the receipt of your letters. * * *

We are much pleased to learn the credit of our paper at Amsterdam. We consider it as of the first importance, to possess the first credit there, and to use it little. Our distance from the wars of Europe, and our disposition to take no part in them, will, we hope, enable us to keep clear of the debts which they occasion to other powers. It will be well for yourself and our bankers, to keep in mind always, that a great distinction is made here between our foreign and domestic paper. As to the foreign, Congress is considered as the representative of one party only, and I think I can say with truth, that there is not one single individual in the United States, either in or out of office, who supposes they can ever do any thing which might impair their foreign contracts. But with respect to domestic paper, it is thought that Congress, being the representative of both parties, may shape their contracts so as to render them practicable, only seeing that substantial justice be done. This distinction will explain to you their proceedings on the subject of their debts. The funding their foreign debts, according to express contract, passed without a debate, and without a dissenting voice. The modelling and funding the domestic debt, occasions great debates and great difficulty. The bill of ways and means was lately thrown out, because an excise was interwoven into its texture; and another ordered to be brought in, which will be clear of that. The assumption of the debts contracted by the States to individuals, for services rendered the Union, is a measure which divides Congress greatly. Some think that the States could much more conveniently levy taxes themselves to pay off these, and thus save Congress from the odium of imposing too heavy burthens in their name. This appears to have been the sentiment of the majority hitherto. But it is possible that modifications may be proposed, which may bring the measure yet into an acceptable form. We shall receive with gratitude the copy of Rymer's Federa, which you are so good as to propose for the use of our offices here.

I have the honour to be, with great esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. DUMAS.

New York, July 13, 1790.

SIR,

I wrote you last on the 23d of June, since which I have received yours of March the 24th to the 30th.

* * * * * * *

Congress are still engaged in their funding bills. The foreign debts did not admit of any difference of opinion. They were settled by a single and unanimous vote: but the domestic debt requiring modifications and settlements, these produce great difference of opinion, and consequently retard the passage of the funding bill. The States had individually contracted considerable debts for their particular defence, in addition to what was done by Congress. Some of the States have so exerted themselves since the war, as to have paid off near the half of their individual debts. Others have done nothing. The State creditors urge that these debts were as much for general purposes as those contracted by Congress, and insist that Congress shall assume and pay such of them as have not been yet paid by their own States. The States who have exerted themselves most, find that, notwithstanding the great payments they have made, they shall by this assumption still have nearly as much to pay as if they had never paid any thing. They are therefore opposed to it. I am in hopes a compromise will be effected by a proportional assumption, which may reach a great part of the debts, and leave still a part of them to be paid by those States who have paid few or none of their creditors. This being once settled, Congress will probably adjourn, and meet again in December, at Philadelphia. The appearance of war between our two neighbours, Spain and England, would render a longer adjournment inexpedient.

I have the honour to be, with great esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

New York, July 26, 1790.

DEAR SIR,

My public letters to you have been of the 28th of March, the 6th and 30th of April. Yours, which remain to be acknowledged, are of March the 9th, 17th, 29th, April the 4th, 12th, 23rd, and May the 1st; being from No. 21 to 28, inclusive, except No. 23, which had come to hand before. I will state to you the dates of all your letters received by me, with the times they have been received, and length of their passage.

* * * * * *

You will perceive that they average eleven weeks and a half; that the quickest are of nine weeks, and the longest are of near eighteen weeks coming. Our information through the English papers is of about five or six weeks, and we generally remain as long afterwards in anxious suspense till the receipt of your letters may enable us to decide what articles of those papers have been true. As these come principally by the English packet, I will take the liberty of asking you to write always by that packet, giving a full detail of such events as may be communicated through that channel, and indeed most may. If your letters leave Paris nine or ten days before the sailing of the packet, we shall be able to decide, on the moment, on the facts, true or false, with which she comes charged. For communications of a secret nature, you will avail yourself of other conveyances, and you will be enabled to judge which are best by the preceding statement. News from Europe is very interesting at this moment, when it is so doubtful whether a war will take place between our two neighbours.

Congress have passed an act for establishing the seat of government at Georgetown, from the year 1800, and in the mean time, to remove to Philadelphia. It is to that place, therefore, that your future letters had better be addressed. They have still before them the bill for funding the public debts. That has been hitherto delayed by a question whether the debts contracted by the particular States for general purposes should, at once, be assumed by the General Government. A development of circumstances, and more mature consideration, seem to have produced some change of opinion on the subject. When it was first proposed, a majority was against it. There is reason to believe, by the complexion of some later votes, that the majority will now be for assuming these debts to a fixed amount. Twenty-one millions of dollars are proposed. As soon as this point is settled, the funding bill will pass, and Congress will adjourn. That adjournment will probably be between the 6th and 13th of August. They expect it sooner. I shall then be enabled to inform you ultimately on the subject of the French debt, the negociations for the payment of which will be referred to the executive, and will not be retarded by them an unnecessary moment. A bill has passed, authorising the President to raise the salary of a chargé des affaires to four thousand five hundred dollars, from the first day of July last. I am authorised by him to inform you that yours will accordingly be at that rate, and that you will be allowed for gazettes, translating, or printing papers, where that shall be necessary, postage, couriers, and necessary aids to poor American *sailors*, in addition to the salary, and no charge of any other description, except where you may be directed to incur it expressly. I have thought it would be most agreeable to you to give you precise information, that you may be in no doubt in what manner to state your accounts. Be pleased to settle your account down to the 1st of July last, and state the balance then due, which will be to be paid out of the former fund. From that day downwards, a new account must be opened, because a new fund is appropriated to it from that time. The expenses for the medals, directed in my letter of April the 30th, must enter into the new account. As I presume the die will be finished by the time you receive this, I have to desire you will have a medal of gold struck for the Marquis de la Luzerne, and have put to it a chain of three hundred and sixty-five links, each link containing gold to the value of two dollars and a half, or thirteen livres and ten sous. The links to be of plain wire, so that their workmanship may cost, as it were, nothing. The whole will make a present of little more than one thousand dollars, including the medal and chain. As soon as done, be pleased to forward them, by a safe hand, to the Marquis de la Luzerne, in the name of the President of the United States, informing him that it is the one spoken of in my letter to him of April the 30th, 1790. Say nothing to any body of the value of the present, because that will not always be the same in all cases. Be so good as to have a second medal of gold struck in the same die, and to send this second, together with the dies, to Philadelphia, by the first safe person who shall be passing—no chain to be sent with this.

We are impatient to learn the progress and prospect of the Algerine business. Do not let it languish a moment, nor leave us a moment uninformed of any thing relative to it. It is, in truth, a tender business, and more felt as such in this than in any other country. The suppression of the farms of tobacco, and the free importation of our salted provisions, will merit all your attention. They are both of them objects of first-rate importance.

The following appointments of consuls have taken place.

* * * * * *

Their jurisdictions, in general, extend to all places within the same allegiance, which are nearer to them than to the residence of any other consul or vice-consul. As yet, only their commissions have been made out. General instructions await the passage of a bill now depending. Mr. La Forest, at this place, remarked our appointment of consuls in the French islands. In the first project of a convention proposed on the part of France, the expressions reached expressly to the kingdom of France only. I objected to this in writing, as being narrower than the twenty-ninth article of the treaty of amity, which was the basis of the consular convention, and which had granted the appointment of consuls and vice-consuls, in their respective 'States and ports,' generally, and without restriction. On this, the word 'France' was struck out, and the 'dominions of the M. C. K.' inserted every where. See the fifth, ninth, twelfth, thirteenth, and fifteenth articles particularly, of the copy of the draughts of 1784 and 1788, as I had them printed side by side. The object of this alteration was, the appointment of consuls in the free ports allowed us in the French West-Indies, where our commerce has greater need of protection than any where. I mention these things that you may be prepared, should any thing be said to you on the subject. I am persuaded the appointment will contribute eminently to the preservation of harmony between us. These consuls will be able to prevent the misunderstandings which arise frequently now between the officers there and our traders, and which are doubtless much exaggerated and misrepresented to us by the latter.

I duly received the copy you were so kind as to send me of the Bishop of Autun's proposition, on the subject of weights and measures. It happened to arrive in the moment I was about giving in to Congress a report on the same subject, which they had referred to me. In consequence of the Bishop of Autun's proposition, I made an alteration in my report, substituting forty-five degrees instead of thirty-eight degrees, which I had at first proposed as a standard latitude. I send you a copy of my report for the Bishop, and another for M. Condorcet, Secretary of the Academy of Sciences. By taking the second pendulum or rod of the same latitude, for the basis of our measures, it will at least furnish a common measure to which both our systems will refer, provided our experiments on the pendulum or rod of forty-five degrees, should yield exactly the same result with theirs.

The newspapers, as usual, will accompany the present, which is to go by Mr. Barrett.

I have the honour to be, with great esteem and attachment,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM CARMICHAEL.

New York, August 2, 1790.

Dear Sir,

This letter will be delivered to you by Colonel Humphreys, whose character is so well known to you as to need no recommendations from me. The present appearances of war between our two neighbours, Spain and England, cannot but excite all our attention. The part we are to act is uncertain, and will be difficult. The unsettled state of our dispute with Spain may give a turn to it, very different from what we would wish. As it is important that you should be fully apprised of our way of thinking on this subject, I have sketched, in the inclosed paper, general heads of consideration arising from present circumstances. These will be readily developed by your own reflections and in conversations with Colonel Humphreys; who, possessing the sentiments of the executive on this subject, being well acquainted with the circumstances of the western country in particular, and of the state of our affairs in general, comes to Madrid expressly for the purpose of giving you a thorough communication of them. He will, therefore, remain there as many days or weeks, as may be necessary for this purpose. With this information, written and oral, you will be enabled to meet the minister in conversations on the subject of the navigation of the Mississippi, to which we wish you to lead his attention immediately. Impress him thoroughly with the necessity of an early, and even an immediate settlement of this matter, and of a return to the field of negociation for this purpose: and though it must be done delicately, yet he must be made to understand unequivocally, that a resumption of the negociation is not desired on our part, unless he can determine, in the first opening of it, to yield the immediate and full enjoyment of that navigation. (I say nothing of the claims of Spain to our territory north of the thirty-first degree, and east of the Mississippi. They never merited the respect of an answer; and you know it has been admitted at Madrid that they were not to be maintained.) It may be asked, what need of negociation, if the navigation is to be ceded at all events? You know that the navigation cannot be practised without a port, where the sea and river vessels may meet and exchange loads, and where those employed about them may be safe and unmolested. The right to use a thing, comprehends a right to the means necessary to its use, and without which it would be useless. The fixing on a proper port, and the degree of freedom it is to enjoy in its operations, will require negotiation, and be governed by events. There is danger, indeed, that even the unavoidable delay of sending a negotiator here, may render the mission too late for the preservation of peace. It is impossible to answer for the forbearance of our western citizens. We endeavour to quiet them with the expectation of an attainment of their rights by peaceable means. But should they, in a moment of impatience, hazard others, there is no saying how far we may be led; for neither themselves nor their rights will ever be abandoned by us.

You will be pleased to observe, that we press these matters warmly and firmly, under this idea, that the war between Spain and Great Britain will be begun before you receive this; and such a moment must not be lost. But should an accommodation take place, we retain, indeed, the same object and the same resolutions unalterably; but your discretion will suggest, that, in that event, they must be pressed more softly, and that patience and persuasion must temper your conferences, till either these may prevail, or some other circumstance turn up, which may enable us to use other means for the attainment of an object, which we are determined, in the end, to obtain at every risk.

I have the honour to be, with great esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE PINTO.

New York, August 7, 1790.

SIR,

Under cover of the acquaintance I had the honour of contracting with you, during the negotiations we transacted together in London, I take the liberty of addressing you the present letter. The friendly dispositions you were then pleased to express towards this country, which were sincerely and reciprocally felt on my part towards yours, flatter me with the hope you will assist in maturing a subject for their common good. As yet, we have not the information necessary to present it to you formally, as the minister of her most faithful Majesty. I beg, therefore, that this letter may be considered as between two individual friends of their respective countries, preliminary to a formal proposition, and meant to give an acceptable shape to that.

It is unnecessary, with your Excellency, to go through the history of our first experiment in government; the result of which was, a want of such tone in the governing powers, as might effect the good of those committed to their care. The nation, become sensible of this, has changed its organization, made a better distribution of its powers, and given to them more energy and independence. The new government has now, for some time, been under way; and so far, gives a confidence that it will answer its purposes. Abuses under the old forms, have led us to lay the basis of the new, in a rigorous economy of the public contributions. This principle will shew itself in our diplomatic establishments; and the rather, as at such a distance from Europe, and with such an ocean between us, we hope to meddle little in its quarrels or combinations. Its peace and its commerce are what we shall court; and to cultivate these, we propose to place at the courts of Europe most interesting to us, diplomatic characters of economical grade, and shall be glad to receive like ones in exchange. The important commerce carried on between your country and ours, and the proofs of friendly disposition towards us which her Majesty has manifested, induce us to wish for such an exchange with her, to express our sensibility at the intimations heretofore received of her readiness to meet our wish in this point, and our regret at the delay which has proceeded from the circumstances before touched on. The grade to be exchanged is the present question, and that on which I ask a friendly and informal consultation with you. That of chargé des affaires, is the one we would prefer. It is that we employ at the court of Madrid. But it has been said, that by the etiquette of your court, that grade cannot be received there under a favourable countenance. Something like this existed at the court of Madrid. But his most Catholic Majesty, in consideration of our peculiar circumstances, dispensed with a general rule in our favour, and in our particular case; and our chargé des affaires there, enjoys at court the privileges, the respect, and favour due to a friendly nation, to a nation whom distance and difference of circumstances liberate, in some degree, from an etiquette, to which it is a stranger at home as well as abroad. The representative of her Majesty here, under whatever name mutual convenience may designate him, shall be received in the plenitude of friendship and favour. May we not ask a reciprocal treatment of ours with you? The nations of Europe have already seen the necessity of distinguishing America from Europe, even in their treaties; and a difference of commerce, of government, of condition, and character, must every day evince, more and more, the impracticability of involving them under common regulations. Nor ought a difference of arrangement with respect to us, to excite claims from others whose circumstances bear no similitude to ours.

I beg leave to submit these considerations to your Excellency's wisdom and goodness. You will see them to be such as could not be offered formally. They must shield themselves under the protection of those sentiments of veneration and esteem, with which your character heretofore inspired me, and which I flattered myself were not merely indifferent to you. Be so good as to honour with a conference hereon, the bearer, Colonel Humphreys, (who was known to you in London), a gentleman who has long been of the President's family, and whose worth has acquired so much of our confidence, that whatever shall be arranged with him on this subject, may be considered as settled. Presuming on a continuance of her Majesty's dispositions, accept this private assurance that a proper person shall be appointed in due form to reside with you, as soon as we shall know the result of your deliberations with Colonel Humphreys, whom I beg leave to present to your notice; adding the homage of those sentiments of respect and attachment, with which

I have the honour to be,
Your Excellency's
Most obedient and most humble servant,
TH. JEFFERSON.

TO JOSHUA JOHNSON.

New York, August 7, 1790.

SIR,

The President of the United States, desirous of availing his country of the talents of its best citizens, in their respective lines, has thought proper to nominate you consul for the United States, at the port of London. The extent of our commercial and political connections with that country, marks the importance of the trust he confides to you, and the more as we have no diplomatic character at that court. I shall say more to you in a future letter on the extent of the consular functions, which are, in general, to be confined to the superintendence and patronage of commerce and navigation; but, in your position, we must desire somewhat more. Political intelligence from that country is interesting to us in a high degree. We must, therefore, ask you to furnish us with this as far as you shall be able; to send us, moreover, the gazette of the court, Woodfall's parliamentary paper, Debrett's parliamentary register; and to serve sometimes as a centre for our correspondences with other parts of Europe, by receiving and forwarding letters sent to your care. It is desirable that we be annually informed of the extent to which the British fisheries are carried on within each year, stating the number and tonnage of the vessels, and the number of men employed in the respective fisheries, to wit, the northern and southern whale fisheries, and the cod fishery. I have as yet no statement of them for the year 1789, with which, therefore, I will thank you to begin. While the press of seamen continues, our seamen, in ports nearer to you than to Liverpool, (where Mr. Maury is consul) will need your protection. The liberation of those impressed should be desired of the proper authority, with due firmness, yet always in temperate and respectful terms, in which way, indeed, all applications to government should be made.

The public papers herein desired may come regularly, once a month, by the British packet, and intermediately, by any vessels, bound directly either to Philadelphia or New York. All expenses incurred for papers and postages, shall be paid at such intervals as you choose, either here, on your order, or by bill on London, whenever you transmit to me an account.

There was a bill brought into the legislature for the establishment of some regulations in the consular offices; but it is postponed to the next session. That bill proposed some particular fees for particular services. They were, however, so small, as to be no object. As there will be little or no legal emolument annexed to the office of consul, it is, of course, not expected that it shall render any expense incumbent on him.

I have the honour to be, with great esteem,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO WILLIAM SHORT.

New York, August 10, 1790.

DEAR SIR,

This letter, with the very confidential papers it incloses, will be delivered to you by Mr. Barrett with his own hands. If there be no war between Spain and England, they need be known to yourself alone. But if that war be begun, or whenever it shall begin, we wish you to communicate them to the Marquis de la Fayette, on whose assistance we know we can count in matters which interest both our countries. He and you will consider how far the contents of these papers may be communicated to the Count de Montmorin, and his influence be asked with the court of Madrid. France will be called into the war, as an ally, and not on any pretence of the quarrel being in any degree her own. She may reasonably require, then, that Spain should do every thing which depends on her, to lessen the number of her enemies. She cannot doubt that we shall be of that number, if she does not yield our right to the common use of the Mississippi, and the means of using and securing it. You will observe, we state in general the necessity, not only of our having a port near the mouth of the river (without which we could make no use of the navigation at all) but of its being so well separated from the territories of Spain and her jurisdiction, as not to engender daily disputes and broils between us. It is certain, that if Spain were to retain any jurisdiction over our entrepôt, her officers would abuse that jurisdiction, and our people would abuse their privileges in it. Both parties must foresee this, and that it will end in war. Hence the necessity of a well defined separation. Nature has decided what shall be the geography of that in the end, whatever it might be in the beginning, by cutting off from the adjacent countries of Florida and Louisiana, and inclosing between two of its channels, a long and narrow slip of land, called the Island of New Orleans. The idea of ceding this could not be hazarded to Spain, in the first step: it would be too disagreeable at first view; because this island, with its town, constitutes, at present, their principal settlement in that part of their dominions, containing about ten thousand white inhabitants of every age and sex. Reason, and events, however, may, by little and little, familiarise them to it. That we have a right to some spot as an entrepôt for our commerce, may be at once affirmed. The expediency, too, may be expressed, of so locating it as to cut off the source of future quarrels and wars. A disinterested eye, looking on a map, will remark how conveniently this tongue of land is formed for the purpose; the Ibbervil and Amit channel offering a good boundary and convenient outlet, on the one side, for Florida, and the main channel an equally good boundary and outlet, on the other side, for Louisiana; while the slip of land between is almost entirely morass or sand-bank; the whole of it lower than the water of the river in its highest floods, and only its western margin (which is the highest ground) secured by banks and inhabited. I suppose this idea too much even for the Count de Montmorin at first, and that, therefore, you will find it prudent to urge, and get him to recommend to the Spanish court, only in general terms, ' a port near the mouth of the river, with a circumjacent territory sufficient for its support, well defined, and extra-territorial to Spain,' leaving the idea to future growth.

I inclose you the copy of a paper distributed by the Spanish commandant on the west side of the Mississippi, which may justify us to M. de Montmorin for pushing this matter to an immediate conclusion. It cannot be expected we shall give Spain time, to be used by her for dismembering us.

It is proper to apprise you of a circumstance which may shew the expediency of being in some degree on your guard, even in your communications to the court of France. It is believed here that the Count de Moustier, during his residence with us, conceived a project of again engaging France in a colony upon our continent, and that he directed his views to some of the country on the Mississippi, and obtained and communicated a good deal of matter on the subject to his court. He saw the immediate advantage of selling some yards of French cloths and silks to the inhabitants of New Orleans; but he did not take into account what it would cost France to nurse and protect a colony there till it should be able to join its neighbours, or to stand by itself; and then what it would cost her to get rid of it. I hardly suspect that the court of France could be seduced by so partial a view of the subject as was presented to them, and I suspect it the less, since the National Assembly has constitutionally excluded conquest from the objects of their government. It may be added, too, that the place being ours, their yards of cloth and silk would be as freely sold as if it were theirs.

You will perceive by this letter, and the papers it incloses, what part of the ideas of the Count d'Estain coincide with our views. The answer to him must be a compound of civility and reserve, expressing our thankfulness for his attentions; that we consider them as proofs of the continuance of his friendly dispositions, and that though it might be out of our system to implicate ourselves in trans-Atlantic guarantees, yet other parts of his plans are capable of being improved to the common benefit of the parties. Be so good as to say to him something of this kind verbally, and so as that the matter may be ended as between him and us.

On the whole, in the event of war, it is left to the judgment of the Marquis de la Fayette and yourself, how far you will develope the ideas now communicated to the Count de Montmorin, and how far you will suffer them to be developed to the Spanish court.

I inclose you a pamphlet by Hutchins for your further information on the subject of the Mississippi; and am, with sentiments of perfect esteem and attachment,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO COLONEL DAVID HUMPHREYS.

New York, August 10, 1790.

SIR,

The President having thought proper to confide several special matters in Europe to your care, it will be expedient that you take your passage in the first convenient vessel bound to the port of London.

When there, you will be pleased to deliver to Mr. G. Morris and to Mr. Johnson, the letters and papers you will have in charge for them, to communicate to us from thence any interesting public intelligence you may be able to obtain, and then to take as early a passage as possible to Lisbon.

At Lisbon, you will deliver the letter with which you are charged for the Chevalier Pinto, putting on it the address proper to his present situation. You know the contents of this letter, and will make it the subject of such conferences with him as may be necessary to obtain our point of establishing there the diplomatic grade which alone coincides with our system, and of insuring its reception and treatment with the requisite respect. Communicate to us the result of your conferences, and then proceed to Madrid.

There you will deliver the letters and papers which you have in charge for Mr. Carmichael, the contents of all which are known to you. Be so good as to multiply, as much as possible, your conferences with him, in order to possess him fully of the special matters sketched out in those papers, and of the state of our affairs in general.

Your stay there will be as long as its objects may require, only taking care to return to Lisbon by the time you may reasonably expect that our answers to your letters to be written from Lisbon, may reach that place. This cannot be earlier than the first or second week of January. These answers will convey to you the President's further pleasure.

Through the whole of this business, it will be best that you avoid all suspicion of being on any public business. This need be known only to the Chevalier Pinto and Mr. Carmichael. The former need not know of your journey to Madrid, or, if it be necessary, he may be made to understand that it is a journey of curiosity, to fill up the interval between writing your letters and receiving the answers. To every other person, it will be best that you appear as a private traveller.

The President of the United States allows you from this date, at the rate of two thousand two hundred and fifty dollars a-year, for your services and expenses, and, moreover, what you may incur for the postage of letters, until he shall otherwise order.

TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

New York, August 12, 1790.

DEAR SIR,

Your letter of May the 29th to the President of the United States, has been duly received. You have placed their proposition of exchanging a minister on proper ground. It must certainly come from them, and come in unequivocal form. With those who respect their own dignity so much, ours must not be counted at nought. On their own proposal, formally, to exchange a minister, we sent them one. They have taken no notice of that, and talk of agreeing to exchange one now, as if the idea were new. Besides, what they are saying to you, they are talking to us through Quebec; but so informally, that they may disavow it when they please. It would only oblige them to make the fortune of the poor Major, whom they would pretend to sacrifice. Through him, they talk of a minister, a treaty of commerce *and alliance*. If the object of the latter be honourable, it is useless; if dishonourable, inadmissible. These tamperings prove they view a war as very possible; and some symptoms indicate designs against the Spanish possessions adjoining us. The consequences of their acquiring all the country on our frontier from the St. Croix to the St. Mary's, are too obvious to you, to need development. You will readily see the dangers which would then environ us. We wish you, therefore, to intimate to them, that we cannot be indifferent to enterprises of this kind; that we should contemplate a change of neighbours with extreme uneasiness; and that a due balance on our borders is not less desirable to us, than a balance of power in Europe has always appeared to them. We wish to be neutral, and we will be so, *if they will execute the treaty fairly*, and *attempt no conquests adjoining us*. The first condition is just; the second imposes no hardship on them. They cannot complain that the other dominions of Spain would be so narrow as not to leave them room enough for conquest. If the war takes place, we would really wish to be quieted on these two points, offering in return an honourable neutrality. More than this, they are not to expect. It will be proper that these ideas be conveyed in delicate and friendly terms; but that they be conveyed, if the war takes place: for it is in that case alone, and not till it be begun, that we would wish our dispositions to be known. But in no case need they think of our accepting any equivalent for the posts.

I have the honour to be, with great respect and esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GOVERNOR HANCOCK.

New York, August 24, 1790.

SIR,

The representatives of the United States have been pleased to refer to me the representation from the general court of Massachusetts, on the subject of the whale and cod fisheries, which had been transmitted by your Excellency, with an instruction to examine the matter thereof, and report my opinion thereupon to the next session of Congress. To prepare such a report as may convey to them the information necessary to lead to an adequate remedy, it is indispensable that I obtain a statement of the fisheries, comprehending such a period before and since the war, as may shew the extent to which they were and are carried on. With such a statement under their view, Congress may be able, by comparing the circumstances which existed when the fisheries flourished, with those which exist at this moment of their decline, to discover the cause of that decline, and provide either a remedy for it, or something which may countervail its effect. This information can be obtained no where but in the State over which your Excellency presides, and under no other auspices so likely to produce it. May I, therefore, take the liberty of soliciting your Excellency to charge with the collecting and furnishing me this information, some person or persons who may be competent to the object. Taking a point of commencement at a proper interval before the year of greatest prosperity, there should be stated, in a table, year by year, under different columns, as follows:—

1. The number of vessels fitted out each year for the cod fishery. 2. Their tonnage. 3. The number of seamen employed. 4. The quantity of fish taken; 1. of superior quality; 2. of inferior. 5. The quantity of each kind exported; 1. to Europe, and to what countries there; 2. to other, and what parts of America. 6. The average prices at the markets, 1. of Europe; 2. of America. With respect to the whale fishery, after the three first articles, the following should be substituted. 4. Whether to the northern or southern fishery. 5. The quantity of oil taken; 1. of the spermaceti whale; 2. of the other kinds. 6. To what market each kind was sent. 7. The average prices of each. As the ports from which the equipments were made could not be stated in the same table conveniently, they might form a separate one. It would be very material that I should receive this information by the first of November, as I might be able to bestow a more undisturbed attention to the subject before than after the meeting of Congress, and it would be better to present it to them at the beginning, than towards the close of a session.

The peculiar degree of interest with which this subject must affect the State of Massachusetts, the impossibility of obtaining necessary information from any other quarter, and the slender means I should have of acquiring it from thence, without the aid of your Excellency, will, I hope, be a sufficient apology for the trouble I take the liberty of giving you;

and I am happy in every occasion of repeating assurances of the respect and attachment with which

I have the honour to be,
Your Excellency's most obedient and most humble servant,
TH. JEFFERSON.

TO SYLVANUS BOURNE, CONSUL AT HISPANIOLA.

New York, August 25, 1790.

SIR,

I inclose you herein sundry papers, containing a representation from Messrs. Updike and Earle, of Providence, who complain that their sloop Nancy was seized in the island of Hispaniola, and, though without foundation, as her acquittal proved, yet they were subjected to the payment of very heavy expenses. It is to be observed, that in no country does government pay the costs of a defendant in any prosecution, and that often, though the party be acquitted, there may have been colourable cause for the prosecution. However this may have been in the present case, should the parties think proper to endeavour, by their own agent, to obtain a reimbursement from the government or from individuals of Hispaniola, I take the liberty of recommending their cause to your patronage, so far as evidence and law shall be in their favour. If they address the government, you will support their demands on the ground of right and amity; if they institute process against individuals, counterpoise, by the patronage and weight of your public character, any weight of character which may be opposed to their obtaining of justice.

I am,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

Circular to the Consuls and Vice Consuls of the United States.

New York, August 26, 1790.

SIR,

I expected ere this, to have been able to send you an act of Congress, prescribing some special duties and regulations for the exercise of the consular offices of the United States; but Congress not having been able to mature the act sufficiently, it lies over to their next session. In the mean while, I beg leave to draw your attention to some matters of information, which it is interesting to receive.

I must beg the favour of you to communicate to me every six months, a report of the vessels of the United States which enter at the ports of your district, specifying the name and burthen of each vessel, of what description she is, (to wit, ship, snow, brig, &c.), the names of the master and owners, and number of seamen, the port of the United States from which she cleared, places touched at, her cargo outward and inward, and the owners thereof, the port to which she is bound, and times of arrival and departure; the whole arranged in a table under different columns, and the reports closing on the last days of June and December.

We wish you to use your endeavours that no vessel enter as an American in the ports of your district, which shall not be truly such, and that none be sold under that name, which are not really of the United States.

That you give to me, from time to time, information of all military preparations, and other indications of war, which may take place in your ports; and when a war shall appear imminent, that you notify thereof the merchants and vessels of the United States within your district, that they may be duly on their guard: and, in general, that you communicate to me such political and commercial intelligence, as you may think interesting to the United States.

The consuls and vice consuls of the United States are free to wear the uniform of their navy, if they choose to do so. This is a deep blue coat, with red facings, lining, and cuffs, the cuffs slashed, and a standing collar; a red waistcoat (laced or not, at the election of the wearer); and blue breeches; yellow buttons, with a foul anchor; and black cockades, and small-swords.

Be pleased to observe, that the vice consul of one district is not at all subordinate to the consul of another. They are equally independent of each other.

The ground of distinction between these two officers is this. Our government thinks, that to whatever there may be, either of honour or profit, resulting from the consular office, native citizens are first entitled, where such of proper character will undertake the duties; but where none such offer, a vice consul is appointed of any other nation. Should a proper native come forward at any future time, he will be named consul; but this nomination will not revoke the commission of vice consul: it will only suspend his functions during the continuance of the consul within the limits of his jurisdiction; and on his departure therefrom, it is meant that the vice consular authority shall revive of course, without the necessity of a re-appointment.

It is understood, that consuls and vice consuls have authority of course, to appoint their own agents in the several ports of their districts, and that it is with themselves alone those agents are to correspond.

It will be best not to fatigue the government in which you reside, or those in authority under it, with applications in unimportant cases. Husband their good dispositions for occasions of some moment; and let all representations to them be couched in the most temperate and friendly terms, never indulging, in any case whatever, a single expression which may irritate.

I have the honour to be,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

New York, August 26, 1790.

DEAR SIR,

My last letters to you have been of the 26th of July, and 10th instant. Yours of May the 16th, No. 31, has come to hand.

I inclose you sundry papers, by which you will perceive, that the expression in the eleventh article of our treaty of amity and commerce with France, viz. 'that the subjects of the United States shall not be reputed Aubaines *in France*, and consequently shall be exempted from the Droit d'Aubaine, or other similar duty, under what name soever,' has been construed so rigorously to the letter, as to consider us as Aubaines in the *colonies* of France. Our intercourse with those colonies is so great, that frequent and important losses will accrue to individuals, if this construction be continued. The death of the master or supercargo of a vessel, rendered a more common event by the unhealthiness of the climate, throws all the property which was either his, or under his care, into contest. I presume that the enlightened Assembly, now engaged in reforming the remains of feudal abuse among them, will not leave so inhospitable an one as the Droit d'Aubaine existing in France, or any of its dominions. If this may be hoped, it will be better that you should not trouble the minister with any application for its abolition in the colonies as to us. This would be erecting into a special favour to us, the extinction of a general abuse, which will, I presume, extinguish of itself. Only be so good as to see, that in abolishing this odious law in France, its abolition in the colonies, also, be not omitted by mere oversight: but if, contrary to expectations, this fragment of barbarism be suffered to remain, then it will become necessary that you bring forward the inclosed case, and press a liberal and just exposition of our treaty, so as to relieve our citizens from this species of risk and ruin hereafter. Supposing the matter to rest on the eleventh article only, it is inconceivable that he who, with respect to his personal goods, is as a native citizen in the mother country, should be deemed a foreigner in its colonies. Accordingly, you will perceive by the opinions of Doctor Franklin and Doctor Lee, two of our ministers who negociated and signed the treaty, that they considered that rights stipulated for us *in France*, were meant to exist in all the *dominions of France*.

Considering this question under the second article of the treaty also, we are exempted from the Droit d'Aubaine in all the dominions of France: for by that article, no particular favour is to be granted to any other nation, which shall not immediately become common to the other party. Now, by the forty-fourth article of the treaty between France and England, which was subsequent to ours, it is stipulated, 'que dans tout ce qui concerne *les successions des biens mobiliers*, les sujets des deux hautes parties contractantes auront *dans les Etats respectifs* les mêmes privileges, libertés, et droits, que la nation la plus favorisée.' This gave to the English the general abolition of the Droit d'Aubaine, enjoyed by the Hollanders under the first article of their treaty with France, of July the 23rd, 1773, which is in these words. 'Les sujets des E. G. des P. U. des Pays-bas ne seront point assujettis au Droit d'Aubaine dans les Etats de S. M. T. C.' This favour, then, being granted to the English subsequent to our treaty, we become entitled to it of course by the article in question. I have it not in my power at this moment to turn to the treaty between France and Russia, which was also posterior to ours. If, by that, the Russians are exempted from the Droit d'Aubaine, '*dans les Etats de* S. M. T. C.' it is a ground the more for our claiming the exemption. To these you will be pleased to add such other considerations of reason, friendship, hospitality, and reciprocity, as will readily occur to yourself.

About two or three weeks ago, a Mr. Campbell called on me, and introduced himself by observing that his situation was an awkward one, that he had come from Denmark with an assurance of being employed here in a public character, that he was actually in service, though unannounced. He repeated conversations which had passed between Count Bernstorff and him, and asked me when a minister would be appointed to that court, or a character sent to negociate a treaty of commerce: he had not the scrip of a pen to authenticate himself, however informally. I told him our government had not yet had time to settle a plan of foreign arrangements; that with respect to Denmark particularly, I might safely express to him those sentiments of friendship which our government entertained for that country, and assurances that the King's subjects would always meet with favour and protection here; and, in general, I said to him those things which, being true, might be said to anybody. You can perhaps learn something of him from the Baron de Blome. If he be an unauthorised man, it would be well it should be known here, as the respect which our citizens might entertain, and the credit they might give to any person supposed to be honoured by the King's appointment, might lead them into embarrassment.

You know the situation of the new loan of three millions of florins going on at Amsterdam. About one half of this is destined for an immediate payment to France; but advantage may be gained by judiciously timing the payment. The French colonies will doubtless claim, in their new constitution, a right to receive the necessaries of life from whomever will deliver them cheapest; to wit, grain, flour, live stock, salted fish, and other salted provisions. It would be well that you should confer with their deputies, guardedly, and urge them to this demand, if they need urging. The justice of the National Assembly will probably dispose them to grant it, and the clamours of the Bourdeaux merchants may be silenced by the clamours and arms of the colonies. It may co-operate with the influence of the colonies, if favourable dispositions towards us can be excited in the moment of discussing this point. It will, therefore, be left to you to say when the payment shall be made, in confidence that you will so time it as to forward this great object: and when you make this payment, you may increase its effect, by adding assurances to the minister, that measures have been taken which will enable us to pay up, within a very short time, all arrears of principal and interest now due; and further, that Congress has fully authorised our government to go on, and pay even the balance not yet due, which we mean to do, if that money can be borrowed on reasonable terms; and that favourable arrangements of commerce between us and their colonies, might dispose us to effect that payment with less regard to terms. You will, of course, find excuses for not paying the money which is ready and put under your orders, till you see that the moment has arrived when the emotions it may excite may give a decisive cast to the demands of the colonies.

The newspapers, as usual, will accompany the present.

I have the honour to be, with great esteem and attachment,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. LA FOREST, CONSUL OF FRANCE.

New York, August 30, 1790.

SIR,

I asked the favour of the Secretary of the Treasury to consider the fourth article of the consular convention, and to let me know whether he should conclude, that consuls not exercising commerce were exempt from paying duties on things imported for their own use. I furnished him no explanation whatever of what had passed on the subject at the time of forming the convention, because I thought it should be decided on the words of the convention, as they are offered to all the world, and that it would only be where these are equivocal, that explanations might be adduced from other circumstances. He considered the naked words of the article, and delivered me as his opinion, that, according to these, the first paragraph, 'The consuls and vice-consuls, &c. as the natives are,' subjected all their property, in whatever form and under whatever circumstances it existed, to the same duties and taxes to which the property of other individuals is liable, and exempts them only from *taxes on their persons*, as poll taxes, head rates for the poor, for town charges, &c.; and that the second paragraph, 'Those of the said consuls, &c. or other merchants,' subjected such of them as exercised commerce, even to the same *personal taxes* as other merchants are; that the second paragraph is an abridgment of the first, not an enlargement of it; and that the exemption of those, not merchants, which seemed *implied* in the words of the second paragraph, could not be admitted against the contrary meaning, directly and unequivocally expressed in the first.

Such, Sir, was his opinion, and it is exactly conformable to what the negotiators had in view in forming this article. I have turned to the papers which passed on that occasion, and I find that the first paragraph was proposed in the first project given in by myself, by which the distinction between taxes on their property and taxes on their persons, is clearly enounced, and was agreed to: but as our merchants exercising commerce in France, would have enjoyed a much greater benefit from the personal exemption, than thôse of France do here, M. de Reyneval, in his first counter-project, inserted the second paragraph, to which I agreed. So that the object was, in the first paragraph, to put consuls, not being merchants, on the same footing with citizens, not being merchants; and in the second, to put consuls, merchants, on the same footing with citizens, merchants.

This, Sir, we suppose to be the sense of the convention, which has become a part of the law of the land, and the law, you know, in this country, is not under the control of the executive, either in its meaning or course. We must reserve, therefore, for more favourable occasions, our dispositions to render the situation of the consuls of his Majesty as easy as possible, by indulgences depending more on us; and of proving the sentiments of esteem and attachment to yourself personally, with which I have the honour to be,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

New York, August 31, 1790.

DEAR SIR,

Since writing my letter of the 26th, it has been decided to commit to your care the transaction of very important money matters at Amsterdam. It is thought necessary that you should go there immediately, and remain there about three months, to possess yourself of the ground. The Secretary of the Treasury will detail to you the particulars requisite there.

With respect to our affairs at Paris, we trust, in your absence, to the friendship of the Marquis de la Fayette, for such things as are important enough to merit his attention. Two of the subjects lately given you in charge, are of this description. As to all others, do them by letter or otherwise, as you can. It will be necessary for you, doubtless, sometimes to ask the attention of the Marquis, by letter; and where you think the moment requires essentially your presence, it is understood you will come to Paris express, returning again to Amsterdam as quickly as circumstances will admit. The facilities of travelling, in Europe, admit of this. Should you think it necessary, you may appoint a secretary during your absence, to remain at Paris and communicate with you, allowing him a salary of four thousand livres a year. If you think this not necessary, you of course will not make the appointment.

I am, with sincere and great esteem,
Dear Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, December 17, 1790.

SIR,

Since mine to you of August the 12th, yours of July the 3rd, August the 16th, and September the 18th, have come to hand. They suffice to remove all doubts which might have been entertained as to the real intentions of the British cabinet, on the several matters confided to you. The view of government in troubling you with this business, was, either to remove from between the two nations all causes of difference, by a fair and friendly adjustment, if such was the intention of the other party, or to place it beyond a doubt that such was not their intention. In result, it is clear enough that further applications would tend to delay, rather than advance our object. It is therefore the pleasure of the President, that no others be made: and that in whatever state this letter may find the business, in that state it be left. I have it in charge, at the same time, to assure you that your conduct in these communications with the British ministers, has met the President's entire approbation, and to convey to you his acknowledgments for your services.

As an attendance on this business must, at times, have interfered with your private pursuits, and subjected you also to additional expenses, I have the honour to inclose you a draft on our bankers in Holland for a thousand dollars, as an indemnification for those sacrifices.

My letter of August the 12th desired a certain other communication to be made to the same court, if a war should have actually commenced. If the event has not already called for it, it is considered as inexpedient to be made at all.

You will, of course, have the goodness to inform us of whatever may have passed further, since the date of your last.

In conveying to you this testimony of approbation from the President of the United States, I am happy in an occasion of repeating assurances of the sentiments of perfect esteem and respect, with which I have the honour to be,

Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO JOSHUA JOHNSON.

Philadelphia, December 17, 1790.

SIR,

Though not yet informed of your receipt of my letter, covering your commission as consul for the United States, in the port of London, yet knowing that the ship has arrived by which it went, I take for granted the letter and commission have gone safe to hand, and that you have been called into the frequent exercise of your office for the relief of our seamen, upon whom such multiplied acts of violence have been committed in England, by press-gangs, pretending to take them for British subjects, not only without evidence, but against evidence. By what means may be procured for our seamen, while in British ports, that security for their persons which the laws of hospitality require, and which the British nation will surely not refuse, remains to be settled. In the mean time, there is one of these cases, wherein so wilful and so flagrant a violation has been committed by a British officer, on the person of one of our citizens, as requires that it be laid before his government, in friendly and firm reliance of satisfaction for the injury, and of assurance, for the future, that the citizens of the United States, entering the ports of Great Britain, in pursuit of a lawful commerce, shall be protected by the laws of hospitality in usage among nations.

It is represented to the President of the United States, that Hugh Purdie, a native of Williamsburg, in Virginia, was, in the month of July last, seized in London by a party of men, calling themselves press-officers, and pretending authority from their government so to do, notwithstanding his declarations and the evidence he offered of his being a native citizen of the United States; and that he was transferred on board the Crescent, a British ship of war, commanded by a Captain Young. Passing over the intermediate violences exercised on him, because not peculiar to his case (so many other American citizens having suffered the same,) I proceed to the particular one which distinguishes the present representation. Satisfactory evidence having been produced by Mr. John Brown Cutting, a citizen of the United States, to the Lords of the Admiralty, that Hugh Purdie was a native citizen of the same States, they, in their justice, issued orders to the Lord Howe, their Admiral, for his discharge. In the mean time, the Lord Howe had sailed with the fleet of which the Crescent was. But, on the 27th of August, he wrote to the Board of Admiralty, that he had received their orders for the discharge of Hugh Purdie, and had directed it accordingly. Notwithstanding these orders, the receipt of which at sea Captain Young acknowledges, notwithstanding Captain Young's confessed knowledge that Hugh Purdie was a citizen of the United States, from whence it resulted that his being carried on board the Crescent, and so long detained there, had been an act of wrong, which called for expiatory conduct and attentions, rather than new injuries on his part towards the sufferer, instead of discharging him, according to the orders he had received, on his arrival in port, which was on the 14th of September, he, on the 15th, confined him in irons for several hours, then had him bound and scourged in presence of the ship's crew, under a threat to the executioner, that if he did not do his duty well, he should take the place of the sufferer. At length he discharged him on the 17th, without the means of subsistence for a single day. To establish these facts, I inclose you copies of papers communicated to me by Mr. Cutting, who laid the case of Purdie before the Board of Admiralty, and who can corroborate them by his personal evidence. He can especially verify the letter of Captain Young, were it necessary to verify a paper, the original of which is under the command of his Majesty's ministers, and this paper is so material, as to supersede of itself all other testimony, confessing the orders to discharge Purdie, that yet he had whipped him, and that it was impossible, without giving up all sense of discipline, to avoid whipping a free American citizen. We have such confidence in the justice of the British government, in their friendly regard to these States, in their respect for the honour and good understanding of the two countries, compromitted by this act of their officer, as not to doubt their due notice of *him*, indemnification to the sufferer, and a friendly assurance to 'these States that effectual measures shall be adopted in future, to protect the persons of their citizens while in British ports.

By the express command of the President of the United States, you are to lay this case, and our sense of it, before his Britannic Majesty's minister for Foreign Affairs, to urge it on his particular notice by all the motives which it calls up, and to communicate to me the result.

I have the honour to be, with great esteem,
Your most obedient humble servant,
TH. JEFFERSON.

TO JOSHUA JOHNSON.

Philadelphia, December 23, 1790.

DEAR SIR,

The vexations of our seamen and their sufferings under the press-gangs of England, have become so serious, as to oblige our government to take serious notice of it. The particular case has been selected where the insult to the United States has been the most barefaced, the most deliberately intentional, and the proof the most complete. The inclosed letter to you is on that subject, and has been written on the supposition that you would shew the original to the Duke of Leeds, and give him a copy of it, but as of your own movement, and not as if officially instructed so to do. You will be pleased to follow up this matter as closely as decency will permit, pressing it in firm but respectful terms, on all occasions. We think it essential that Captain Young's case may be an example to others. The inclosed letters are important. Be so good as to have them conveyed by the surest means possible.

I am, with great esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO CHARLES HELLSTEDT, SWEDISH CONSUL.

Philadelphia, February 14, 1791.

SIR,

I now return you the papers you were pleased to put into my hands, when you expressed to me your dissatisfaction that our Court of Admiralty had taken cognizance of a complaint of some Swedish sailors against their captain, for cruelty. If there was error in this proceeding, the law allows an appeal from that to the Supreme Court; but the appeal must be made in the forms of the law, which have nothing difficult in them. You were certainly free to conduct the appeal yourself, without employing an advocate, but then you must do it in the usual form. Courts of justice, all over the world, are held by the laws to proceed according to certain forms, which the good of the suitors themselves requires they should not be permitted to depart from.

I have further to observe to you, Sir, that this question lies altogether with the courts of justice; that the constitution of the United States having divided the powers of government into three branches, legislative, executive, and judiciary, and deposited each with a separate body of magistracy, forbidding either to interfere in the department of the other, the executive are not at liberty to intermeddle in the present question. It must be ultimately decided by the Supreme Court. If you think proper to carry it into that, you may be secure of the strictest justice from them. Partialities they are not at liberty to shew. But for whatever may come before the executive, relative to your nation, I can assure you of every favour which may depend on their dispositions to cultivate harmony and a good understanding with it.

I have the honour to be, with great esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE PINTO.

Philadelphia, February 21, 1791.

SIR,

I have duly received the letter of November the 30th, which your Excellency did me the honour to write, informing me that her most faithful Majesty had appointed Mr. Freire her minister resident with us, and stating the difficulty of meeting us in the exchange of a chargé des affaires, the grade proposed on our part. It is foreseen that a departure from our system, in this instance, will materially affect our arrangements with other nations; but the President of the United States has resolved to give her Majesty this proof of his desire to concur in whatever may best tend to promote that harmony and perfect friedship, so interesting to both countries. He has, therefore, appointed Colonel Humphreys to be minister resident for the United States, at the court of her Majesty. This gentleman has long been of the President's own family, and enjoys his particular confidence. I make no doubt he will so conduct himself, as to give perfect satisfaction to her Majesty and yourself, and I therefore recommend him to your friendly attention and respect. Mr. Freire will have every title to the same from us, and will assuredly receive it. It is always with pleasure, that I repeat the homage of those sentiments of respect and esteem, with which I have the honour to be,

Your Excellency's
Most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, March 8, 1791.

DEAR SIR,

A conveyance offering by which we can send large packets, you will receive herewith the following articles:—

1. The newspapers.
2. The acts of the second session of Congress.
3. A report on the fisheries of the United States. It is thought that this contains matter which may be usefully communicated. I am persuaded the better this subject is understood in France, the more they will see their interest in favouring our fisheries.
4. A letter from the President to the King, of which an open copy is enclosed for your information.
5. A letter from myself to the Count de Moustier, in answer to his to the President and myself, taking leave.
6. A letter from myself to the President of the National Assembly of France, in answer to his to Congress on the death of Dr. Franklin. Let it be understood, that Congress can only correspond through the executive, whose organ in the

case of foreign nations is the Secretary of State. The President of the United States being co-ordinate with Congress, cannot personally be their scribe.

7. Some papers in a case interesting to Dr. M'Henry, of Baltimore. He at first sent them to me, with a desire to commit the subject of them wholly to you. I informed him, we could not consent that you should be used as the agent of private individuals, but that if he would provide an agent on the spot who would undertake the details of solicitation, management, correspondence, &c., I would desire you to patronise the measure so far as you should find it prudent and just. It is put on this footing, as you will see by his answer to me.

8. A correction of the report on weights and measures.

You are desired to have a medal of gold struck from the diplomatic die formerly ordered, and present it with a chain of gold to the Count de Moustier, who is notified that this will be done by you. I formerly informed you, that we proposed to vary the worth of the present, by varying the size of the links of the chain, which are fixed at three hundred and sixty-five in number. Let each link, in the present instance, contain six livres worth of gold, and let it be made of plain wire, so that the value may be in the metal, and not at all in the workmanship. I shall hope to receive the dies themselves, when a safe conveyance presents itself.

I am, with great esteem,
Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO THE PRESIDENT OF THE NATIONAL ASSEMBLY OF FRANCE.

Philadelphia, March 8, 1791.

SIR,

I have it in charge from the President of the United States of America, to communicate to the National Assembly of France, the peculiar sensibility of Congress to the tribute paid to the memory of Benjamin Franklin, by the enlightened and free representatives of a great nation, in their decree of the 11th of June, 1790.

That the loss of such a citizen should be lamented by us, among whom he lived, whom he so long and eminently served, and who feel their country advanced and honoured by his birth, life, and labours, was to be expected. But it remained for the National Assembly of France to set the first example of the representative of one nation doing homage, by a public act, to the private citizen of another, and, by withdrawing arbitrary lines of separation, to reduce into one fraternity the good and the great, wherever they have lived or died.

That these separations may disappear between us in all times and circumstances, and that the union of sentiment which mingles our sorrows on this occasion, may continue long to cement the friendship and the interests of our two nations, is our constant prayer. With no one is it more sincere than with him, who, in being charged with the honour of conveying a public sentiment, is permitted that of expressing the homage of profound respect and veneration, with which he is, Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO WILLIAM CARMICHAEL.

Philadelphia, March 12, 1791.

SIR,

I inclose you a statement of the case of Joseph St. Marie, a citizen of the United States of America, whose clerk, Mr. Swimmer, was, in the latter part of the year 1787, seized on the eastern side of the Mississippi, in latitude 34° 40′, together with his goods, of the value of nineteen hundred and eighty dollars, by a party of Spanish soldiers. They justified themselves under the order of a Mr. Valliere, their officer, who avowed authority from the Governor of New Orleans, requiring him to seize and confiscate all property *found on either side of the Mississippi below the mouth of the Ohio.* The matter being then carried by St. Marie before the Governor of New Orleans, instead of correcting the injury, he avowed the act and its principle, and pretended orders from his court for this and more. We have so much confidence, however, in the moderation and friendship of the court of Madrid, that we are more ready to ascribe this outrage to officers acting at a distance, than to orders from a just sovereign. We have hitherto considered the delivery of the post of the Natches, on the part of Spain, as only awaiting the result of those arrangements which have been under amicable discussion between us;

but the remaining in possession of a post which is so near our limit of thirty-one degrees, as to admit some colour of doubt whether it be on our side or theirs, is one thing; while it is a very different one, to launch two hundred and fifty miles further, and seize the persons and property of our citizens; and that, too, in the very moment that a friendly accommodation of all differences is under discussion. Our respect for their candour and good faith does not permit us to doubt, that proper notice will be taken of the presumption of their officer, who has thus put to hazard the peace of both nations, and we particularly expect that indemnification will be made to the individual injured. On this you are desired to insist in the most friendly terms, but with that earnestness and perseverance which the complexion of this wrong requires. The papers inclosed will explain the reasons of the delay which has intervened. It is but lately they have been put into the hands of our government.

We cannot omit this occasion of urging on the court of Madrid, the necessity of hastening a final acknowledgment of our right to navigate the Mississippi; a right which has been long suspended in exercise, with extreme inconvenience on our part, merely with a desire of reconciling Spain to what it is impossible for us to relinquish. An accident at this day, like that now complained of, would put further parley beyond our power: yet to such accidents we are every day exposed by the irregularities of their officers, and the impatience of our citizens. Should any spark kindle these dispositions of our borderers into a flame, we are involved beyond recal by the eternal principles of justice to our citizens, which we will never abandon. In such an event, Spain cannot possibly gain, and what may she not lose?

The boldness of this act of the Governor of New Orleans, and of his avowal of it, renders it essential to us to understand the court of Spain on this subject. You will therefore avail yourself of the earliest occasion of obtaining their sentiments, and of communicating them to us.

I have the honour to be, with great esteem,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, March 12, 1791.

DEAR SIR,

The inclosed papers will explain to you a case which imminently endangers the peace of the United States with Spain. It is not indeed of recent date, but it has been recently laid before government, and is of so bold a feature, as to render dangerous to our rights a further acquiescence in their suspension. The middle ground held by France between us and Spain, both in friendship and interest, requires that we should communicate with her with the fullest confidence on this occasion. I therefore inclose you a copy of my letter to Mr. Carmichael, and of the papers it refers to, to be communicated to Monsieur de Montmorin, whose efficacious interference with the court of Madrid you are desired to ask. We rely with great confidence on his friendship, justice, and influence.

A cession of the navigation of the Mississippi, with such privileges as to make it useful, and free from future chicane, can be no longer dispensed with on our part: and perhaps while I am writing, something may have already happened to cut off this appeal to friendly accommodation. To what consequences such an event would lead, cannot be calculated. To such, very possibly, as we should lament, without being able to control. Your earnestness with Monsieur de Montmorin, and his with the court of Spain, cannot be more pressing than the present situation and temper of this country requires. The case of St. Marie happens to be the incident presenting itself in the moment, when the general question must otherwise have been brought forward. We rely, on this occasion, on the good offices of the Marquis de la Fayette, whom you are desired to interest in it.

I am, with sincere and great esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, March 15, 1791.

DEAR SIR,

In mine of January the 23rd, I acknowledged the receipt of your letters from No. 29 to 48 inclusive, except 31, 44, 45, 46. Since that, I have received Nos. 45 and 50, the former in three months and seven days, the latter in two months and seventeen days, by the English packet, which had an uncommonly long passage. Nos. 31, 44, 46, 47, 48, 49, are still missing. They have probably come through merchant vessels and merchants, who will let them lie on their counters two or three months before they will forward them. I wrote you on the 8th and 12th instant, by a private hand, on particular subjects. I am not certain whether this will be in time to go by the same conveyance. In yours of December the 23rd, you suppose we receive regularly the journals of the National Assembly from your secretary at Paris, but we have never received any thing from him. Nothing has been addressed to him, his name being unknown to us.

It gives great satisfaction, that the *Arrêt du Conseil* of December, 1787, stands a chance of being saved. It is in truth the sheet anchor of our connection with France, which will be much loosened when that is lost. This *Arrêt* saved, a free importation of salted meats into France, and of provisions of all kinds into her colonies, will bind our interests to that country more than to all the world besides. It has been proposed in Congress to pass a navigation act, which will deeply strike at that of Great Britain. I send you a copy of it. It is probable the same proposition will be made at the next Congress, as a first step, and for one more extensive at a later period. It is thought the first will be carried: the latter will be more doubtful. Would it not be worth while to have the bill now inclosed, translated, printed, and circulated among the members of the National Assembly? If you think so, have it done at the public expense, with any little comment you may think necessary, concealing the quarter from whence it is distributed; or take any other method you may think better, to see whether that Assembly will not pass a similar Act. I shall send copies of it to Mr. Carmichael, at Madrid, and to Colonel Humphreys, appointed resident at Lisbon, with a desire for them to suggest similar acts there. The measure is just, perfectly innocent as to all other nations, and will effectually defeat the navigation act of Great Britain, and reduce her power on the ocean within safer limits.

The time of the late Congress having expired on the 3rd instant, they then separated of necessity. Much important matter was necessarily laid over; this navigation act among others. The land law was put off, and nothing further done with the mint than to direct workmen to be engaged. The new Congress will meet on the 4th Monday in October. Their laws shall be sent you by the first opportunity after they shall be printed. You will receive herewith those of their second session. We know that Massachusetts has agreed to the amendments to the constitution, except (as is said) the first, second, and twelfth articles. The others, therefore, are now in force. The articles excepted, will depend on the other legislatures. The late expedition against the northern Indians having been ineffectual, more serious operations against them will be undertaken as soon as the season admits. The President is just now setting out on a tour to the southern States, from whence he will not return till June. The British packet being the quickest mode of conveyance, I shall avail myself of that, as well as of the French packet, to write to you. Are the letters which now pass through the French post-offices opened, as they were under the former government? This is important for me to know. I am, with great and sincere esteem,

Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

P. S. I omitted to draw your attention to an additional duty of one cent. per gallon on rum, by name. This was intended as some discrimination between England and France. It would have been higher, but for the fear of affecting the revenues in a contrary direction. T. J.

TO WILLIAM CARMICHAEL.

Philadelphia, March 17, 1791.

SIR,

The term of the first Congress having expired on the 3rd instant, they separated on that day, much important business being necessarily postponed. New elections have taken place for the most part, and very few changes made. This is one of many proofs. that the proceedings of the new government have given general satisfaction. Some acts, indeed, have produced local discontents; but these can never be avoided. The new Congress will meet on the 4th Monday of October. Inclosed is the copy of an act reported by a committee to the late Congress, who, not having time to go through the subject, referred it to me, to be examined and reported to the next Congress. This measure, therefore, will be proposed to them as a first and immediate step, and perhaps something further at a more distant day. I have sent copies of this act to Mr. Short and Colonel Humphreys; and I inclose this to you, that you may communicate it to the court of Madrid, as a measure in contemplation with us. How far such an one may be politic to be adopted by Spain, France, and Portugal, is for them to consider. The measure is perfectly innocent as to all nations except those, or rather that, which has a navigation act; and to that it retorts only its own principles. Being founded in universal reciprocity, it is impossible it should excite a single complaint. Its consequences on that nation are such as they cannot avoid; for either they must repeal their navigation act, in order to be let in to a share of foreign carriage, or the shipping they now employ in foreign carriage will be out of employ, and this act frustrated, on which their naval power is built. Consequently, that power will be reduced within safer limits, and the freedom of the ocean be better secured to all the world. The more extensive the adoption of this measure is, the more irresistible will be its effect. We would not wish to be declared the exciters of such a concert of measures, but we have thought it expedient to suggest informally to the courts of France, Spain, and Portugal, the measure we propose to take, and to leave with them to decide on the motives of their own interest, how far it may be expedient for them to adopt a similar measure. Their concurrence will more completely insure the object of our act, and therefore I leave it to yourself to insinuate it with all the discretion and effect you can.

Your letter of May the 6th, 1789, is still the last we have received, and that is now near two years old. A letter from Colonel Humphreys, written within twenty-four hours after his arrival at Madrid, reached us within two months and ten days after its date. A full explanation of the causes of this suspension of all information from you, is expected in answer to my letter of August the 6th. It will be waited for yet a reasonable time, and in the mean while a final opinion suspended. By the first vessel to Cadiz, the laws and gazettes shall be forwarded.

I have the honour to be, with great esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, March 19, 1791.

DEAR SIR,

Your letter of November the 6th, No. 46, by Mr. Osmont, came to hand yesterday, and I have just time, before the departure of Mr. Terrasson, the bearer of my letter of the 15th instant, and despatches accompanying it, to acknowledge the receipt, and inform you that it has been laid before the President. On consideration of the circumstances stated in the second page of your letter, he is of opinion that it is expedient to press at this moment a settlement of our difference with Spain. You are therefore desired, instead of confining your application for the interference of the court of France to the simple case of St. Marie, mentioned in my letter of the 12th, to ask it on the broad bottom of general necessity, that our right of navigating the Mississippi be at length ceded by the court of Madrid, and be ceded in such form as to render the exercise of it efficacious and free from chicane. This cannot be without an entrepôt in some convenient port of the river, where the river and sea craft may meet and exchange loads, without any control from the laws of the Spanish government. This subject was so fully developed to you in my letter of August the 10th, 1790, that I shall at present only refer to that. We wish you to communicate this matter fully to the Marquis de la Fayette, to ask his influence and assistance, assuring him that a settlement of this matter is become indispensable to us; any further delay exposing our peace, both at home and abroad, to accidents, the results of which are incalculable, and must no longer be hazarded. His friendly interposition on this occasion, as well as that of his nation, will be most sensibly felt by us. To his discretion, therefore, and yours, we confide this matter, trusting that you will so conduct it as to obtain our right in an efficacious form, and, at the same time, to preserve to us the friendship of France and Spain, the latter of which we value much, and the former infinitely.

Mr. Carmichael is instructed to press this matter at Madrid; yet if the Marquis and yourself think it could be better effected at Paris with the Count de Nunnez, it is left to you to endeavour to draw it there. Indeed, we believe it would be more likely to be settled there, than at Madrid or here. Observe always, that to accept the navigation of the river without an entrepôt would be perfectly useless, and that an entrepôt, if trammelled, would be a certain instrument for bringing on war, instead of preventing it.

I am, with great esteem,
Dear Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO MR. OTTO.

Philadelphia, March 29, 1791.

SIR,

The note of December the 13th, which you did me the honour to address to me on the acts of Congress of the 20th of July, 1789, and 1790, fixing the tonnage payable by foreign vessels arriving from a foreign port, *without excepting those of France*, has been submitted to the government of the United States. They consider the conduct of his most Christian Majesty, in making this the subject of fair discussion and explanation, as a new proof of his justice and friendship; and they have entered on the consideration with all the respect due to whatever comes from his Majesty, or his ministers, and with all the dispositions to find grounds for an union of opinion, which a sincere attachment to your nation, and a desire to meet their wishes on every occasion, could inspire. But the fifth article of the treaty of amity and commerce is not seen here exactly in the point of view in which your note places it.

The third and fourth articles subject the vessels of each nation to pay in the ports of the other, only such duties as are paid by the most favoured nation, and give them, reciprocally, all the privileges and exemptions in navigation and commerce, which are given by either to the most favoured nations. Had the contracting parties stopped here, they would have been free to raise or lower their tonnage, as they should find it expedient, only taking care to keep the other on the footing of the most favoured nation.

The question then is, whether the fifth article, cited in the note, is any thing more than an application of the principle comprised in the third and fourth, to a particular object? Or whether it is an additional stipulation of something not so comprised?

I. That it is merely an application of a principle comprised in the preceding articles, is declared by the express words of the article, to wit, *dans l'exemption ci-dessus est nommément compris*, &c.; '*In the above exemption is particularly comprised* the imposition of one hundred sols per ton, established in France on foreign vessels.' Here, then, is at once an express declaration, that the exemption from the duty of one hundred sols is *comprised* in the third and fourth articles; that is to say, it was one of the exemptions enjoyed by the most favoured nations, and, as such, extended to us by those articles. If the exemption spoken of in this first member of the fifth article was *comprised* in the third and fourth articles, as is expressly declared, then the reservation by France out of that exemption (which makes the second member of the same article) *was also comprised*; that is to say, if *the whole* was comprised, *the part* was comprised. And if this reservation of France in the second member was comprised in the third and fourth articles, then the counter reservation by the United States (which constitutes the third and the last member of the same article) was also comprised; because it is but a corresponding portion of a similar whole, on our part, which had been comprised by the same terms with theirs.

In short, the whole article relates to a particular duty of one hundred sols, laid by some antecedent law of France on the vessels of foreign nations, relinquished as to the most favoured, and consequently as to us. It is not a new and additional stipulation, then, but a declared application of the stipulations comprised in the preceding articles to a particular case, by way of greater caution.

The doctrine laid down generally in the third and fourth articles, and exemplified specially in the fifth, amounts to this. 'The vessels of the most favoured nations, coming from foreign ports, are exempted from the duty of one hundred sols, therefore you are exempted from it by the third and fourth articles. The vessels of the most favoured nations, coming coastwise, pay that duty; therefore you are to pay it by the third and fourth articles. We shall not think it unfriendly in you to lay a like duty on coasters, because it will be no more than we have done ourselves. You are free also to lay that or any other duty on vessels coming from foreign ports, provided they apply to all other nations, even the most favoured. We are free to do the same, under the same restriction. Our exempting you from a duty which the most favoured nations do not pay, does not exempt you from one which they do pay.'

In this view, it is evident that the fifth article neither enlarges nor abridges the stipulations of the third and fourth. The effect of the treaty would have been precisely the same, had it been omitted altogether; consequently, it may be truly said, that the reservation by the United States, in this article, is completely useless. And it may be added with equal truth, that the equivalent reservation by France is completely useless, as well as her previous abandonment of the same duty, and, in short, the whole article. Each party, then, remains free to raise or lower its tonnage, provided the change operates on all nations, even the most favoured.

Without undertaking to affirm, we may obviously conjecture, that this article has been inserted on the part of the United States, from an over caution to guard, *nommément, by name*, against a particular aggrievance, which they thought could never be too well secured against; and that has happened which generally happens—doubts have been produced by the too great number of words used to prevent doubt.

II. The court of France, however, understands this article as intended to introduce something to which the preceding articles had not reached, and not merely as an application of them to a particular case. Their opinion seems to be founded on the general rule in the construction of instruments, to leave no words merely useless, for which any rational meaning can be found. They say that the reservation by the United States of a right to lay a duty equivalent to that of the one hundred sols reserved by France, would have been completely useless, if they were left free by the preceding articles, to lay a tonnage to any extent whatever; consequently, that the reservation of a part proves a relinquishment of the residue.

If some meaning, and such a one, is to be given to the last member of the article, some meaning, and a similar one, must be given to the corresponding member. If the reservation by the United States of a right to lay an equivalent duty, implies a relinquishment of their right to lay any other, the reservation by France of a right to continue the specified duty, to which it is an equivalent, must imply a relinquishment of the right on her part to lay or continue any other. Equivalent reservations by both, must imply equivalent restrictions on both. The exact reciprocity stipulated in the preceding articles, and which pervades every part of the treaty, insures a counter right to each party for every right ceded to the other.

Let it be further considered, that the duty called *tonnage*, in the United States, is in lieu of the duties for anchorage, for the support of buoys, beacons, and light-houses, to guide the mariner into harbour and along the coast, which are provided and supported at the expense of the United States, and for fees to measurers, weighers, gaugers, &c., who are paid by the United States; for which articles, among many others, (light excepted) duties are paid by us in the ports of France, under their specific names. That government has hitherto thought these duties consistent with the treaty; and, consequently, the same duties under a general instead of specific names, with us, must be equally consistent with it: it is not the name, but the thing, which is essential. If we have renounced the right to lay any port duties, they must be understood to have equally renounced that of either laying new or continuing the old. If we ought to refund the port duties received from their vessels since the date of the act of Congress, they should refund the port duties they have received from our vessels since the date of the treaty, for nothing short of this is the reciprocity of the treaty.

If this construction be adopted, then each party has for ever renounced the right of laying any duties on the vessels of the other coming from any foreign port, or more than one hundred sols on those coming coastwise. Could this relinquishment be confined to the two contracting parties alone, its effect would be calculable. But the exemption once conceded by the one nation to the other, becomes immediately the property of all others who are on the footing of the most favoured nations. It is true, that those others would be obliged to yield the same compensation, that is to say, to receive our vessels duty free. Whether France and the United States would gain or lose in the exchange of the measure with them, is not easy to say.

Another consequence of this construction will be, that the vessels of the most favoured nations, paying no duties, will be on a better footing than those of natives, which pay a moderate duty: consequently, either the duty on these also must be given up, or they will be supplanted by foreign vessels in our own ports.

The resource, then, of duty on vessels, for the purposes either of revenue or regulation, will be for ever lost to both.

It is hardly conceivable that either party, looking forward to all these consequences, would see their interest in them. So that, on the whole, Sir, we consider the fifth article of the treaty merely as an illustration of the third and fourth articles, by an application of the principles comprised in them to the case stated in that, and that a contrary construction would exceedingly embarrass and injure both the contracting parties. We feel every disposition on our part to make considerable sacrifices, where they would result to the sole benefit of your nation: but where they would excite from other nations corresponding claims, it becomes necessary to proceed with caution. You probably know, Sir, that the general subject of navigation was before our legislature at their last session, and was postponed merely for the want of time to go through it, before the period arrived to which the constitution had limited their existence. It will be resumed at the meeting of the new legislature; and from a knowledge of the sincere attachment of my countrymen to the prosperity of your nation, and to the increase of our intercourse with it, I may safely say for the new legislature, that the encouragement of that intercourse, for the advantage of both parties, will be considered as among the most interesting branches of the general subject submitted to them. From a perfect conviction of the coincidence of our interests, nobody wishes more sincerely to cultivate the habit of mutual good offices and favours, than he who has the honour to be, with sentiments of the greatest respect and esteem,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

Thomas Jefferson presents his respects to the Vice President of the United States, and has the honour to inclose him the copy of a letter from the President, just now received.

April 8, 1791.

[The annexed is the letter referred to.]

Mount Vernon, April 4, 1791.

GENTLEMEN,

As the public service may require that communications should be made to me, during my absence from the seat of government, by the most direct conveyances, and as, in the event of any very extraordinary occurrence, it will be necessary to know at what time I may be found in any particular place, I have to inform you, that unless the progress of my journey to Savannah is retarded by unforeseen interruptions, it will be regulated (including days of halt) in the following manner. I shall be,

On the 8th of April, at Fredericksburg,
" 11th " Richmond,
" 14th " Petersburg,
" 16th " Halifax,
" 18th " Tarborough,
" 20th " Newbern,
" 24th " Wilmington,
" 29th " Georgetown, South Carolina,
On the 2d of May, at Charleston, halting five days,
" 11th " Savannah, halting two days.

Thence, leaving the line of the mail, I shall proceed to Augusta, and according to the information which I may receive there, my return, by an upper road, will be regulated. The route of my return is at present uncertain, but in all probability it will be through Columbia, Camden, Charlotte, Salisbury, Salem, Guilford, Hillsborough, Harrisburg, Williamsburg, to Taylor's Ferry on the Roanoke, and thence to Fredericksburg by the nearest and best road.

After thus explaining to you, as far as I am able at present, the direction and probable progress of my journey, I have to express my wish, if any serious and important case should arise during my absence, (of which the probability is but too strong) that the Secretaries for the departments of State, Treasury, and War, may hold consultations thereon, to determine whether they are of such a nature as to require my personal attendance at the seat of government, and if they should be so considered, I will return immediately from any place at which the information may reach me; or should they determine that measures relevant to the case may be legally and properly pursued, without the immediate agency of the President, I will approve and ratify the measures which may be conformed to such determination.

Presuming that the Vice President will have left the seat of government for Boston, I have not requested his opinion to be taken on the supposed emergency. Should it be otherwise, I wish him also to be consulted.

I am, Gentlemen, your most obedient servant,

G. WASHINGTON.

Thomas Jefferson, Alexander Hamilton, and Henry Knox, Esquires, Secretaries of the United States for the departments of State, Treasury, and War.

TO COLONEL HUMPHREYS.

Philadelphia, April 11, 1791.

DEAR SIR,

I wrote you March the 15th, with postscripts of the 18th and 19th. Since that, yours of January the 3rd, No. 10, January the 15th, No. 11, from Madrid, February the 6th, No. 12, and February the 12th, No. 13, from Lisbon, have been received. They covered a letter from Mr. Carmichael, the only one we have from him of later date than May 1789. You know that my letter to him, of which you were the bearer, took notice of the intermission of his correspondence, and the one inclosed to him in my letter to you of March the 15th, being written when this intermission was felt still stronger, as having continued so much longer, conveyed stronger marks of dissatisfaction. Though his letter now received, convinces us he has been active in procuring intelligence, yet it does not appear that he has been equally assiduous in procuring means of conveyance, which was the more incumbent on him, in proportion as the government was more jealous and watchful. Still, however, I wish him to receive the letter now inclosed for him, herein, as it softens what had been harder said, and shews a disposition rather to look forward than backward. I hope you will receive it in time to forward with the other. It contains important matter, pressing on him, as I wish to do on you and have done on Mr. Short, to engage your respective courts in a co-operation in our navigation act. Procure us all the information possible, as to the strength, riches, resources, lights, and dispositions of Brazil. The jealousy of the court of Lisbon on this subject, will, of course, inspire you with due caution in making and communicating these inquiries.

The acts of the three sessions of Congress, and Fenno's papers from April, 1790, were sent you with my last. You will now receive the continuation of Fenno's paper. I sent for Mr. Carmichael also, laws and newspapers, in hopes you may find some means of conveying them to him. I must sometimes avail myself of your channel to write to him, till we shall have a consul at Cadiz.

I have the honour to be, with great and sincere esteem,
Dear Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO WILLIAM CARMICHAEL.

Philadelphia, April 11, 1791.

SIR,

I wrote you on the 12th of March, and again on the 17th of the same month; since which, I have received your favour of January the 24th, wherein you refer to copies of two letters, also to a paper No. 1, supposed to be inclosed in that letter; but there was nothing inclosed. You speak particularly of several other letters formerly forwarded, but not a single one was ever received of later date than May the 6th, 1789; and this of January the 24th, is all we possess from you since that date. I inclose you a list of letters addressed to you on various subjects, and to which answers were, and are naturally expected; and send you again copies of the papers in the case of the Dover cutter, which has been the subject of so many of those letters, and is the subject of the constant solicitation of the parties here. A final decision on that application, therefore, is earnestly desired. When you consider the repeated references of matters to you from hence, and the total suppression of whatever you have written in answer, you will not be surprised if it had excited a great degree of uneasiness. We had inquired whether private conveyances did not occur, from time to time, from Madrid to Cadiz, where we have vessels almost constantly, and we were assured that such conveyances were frequent. On the whole, Sir, you will be sensible, that under the jealous government with which you reside, the conveyance of intelligence requires as much management as the obtaining it; and I am in hopes that in future, you will be on your guard against those infidelities in that line, under which you and we have so much suffered.

The President is absent on a journey through the southern States, from which he will not return till the end of June; consequently, I could not sooner notify him of your desire to return; but even then, I will take the liberty of saying nothing to him on the subject till I hear further from you. The suppression of your correspondence has, in a considerable degree, withdrawn you from the public sight. I sincerely wish that before you return, you could do something to attract their attention and favour, and render your return pleasing to yourself and profitable to them, by introducing you to new proofs of their confidence. My two last letters to you furnish occasions; that of a co-operation against the British navigation act, and the arrangement of our affairs on the Mississippi. The former, if it can be effected, will form a remarkable and memorable epoch in the history and freedom of the ocean. Mr. Short will press it at Paris, and Colonel Humphreys at Lisbon. The latter will shew most at first; and as to it, be so good as to observe always, that the right of navigating the Mississippi is considered as so palpable, that the recovery of it will produce no other sensation than that of a gross injustice removed. The extent and freedom of the port for facilitating the use of it, is what will excite the attention and gratification of the public. Colonel Humphreys writes me, that all Mr. Gardoqui's communications, while here, tended to impress the court of Madrid with the idea, that the navigation of the Mississippi was only demanded on our part, to quiet our western settlers, and that it was not sincerely desired by the maritime States. This is a most fatal error, and must be completely eradicated, and speedily, or Mr. Gardoqui will prove to have been a bad peace-maker. It is true, there were characters, whose stations entitled them to credit, and who, from geographical prejudices, did not themselves wish the navigation of the Mississippi to be restored to us, and who believe, perhaps, as is common with mankind, that their opinion was the general opinion. But the sentiments of the great mass of the union were decidedly otherwise then, and the very persons to whom Mr. Gardoqui alluded, have now come over to the opinion heartily, that the navigation of the Mississippi, in full and unrestrained freedom, is indispensably necessary, and must be obtained by any means it may call for. It will be most unfortunate, indeed, if we cannot convince Spain that we make this demand in earnest, but by acts which will render that conviction too late to prevent evil.

Not knowing how better to convey to you the laws and the gazettes, than by committing them to the patronage of Colonel Humphreys, I now send through that channel the laws of the second and third sessions of Congress, and the newspapers.

I have the honour to be, with great esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, April 25, 1791.

DEAR SIR,

My late letters to you have been of the 8th, 12th, 15th, and 19th of March,—yours received and acknowledged, are as follows:—

* * * * * *

I consider the consular convention as securing clearly our right to appoint consuls in the French colonies. The words 'états du roi,' unquestionably extend to all his dominions. If they had been merely synonymous with 'la France,' why was the alteration made? When I proposed that alteration, I explained my reasons, and it cannot be supposed I would offer a change of language, but for some matter of substance. Again, in the translation, it is 'dominions of France.' This translation was submitted to M. de Montmorin and M. de Reyneval, with a request that they would note any deviation in it from the original, or otherwise it would be considered as faithful. No part was objected to. M. de Reyneval says, we must decide by the instrument itself, and not by the explanations which took place. It is a rule, where expressions are susceptible of two meanings, to recur to other explanations. Good faith is in favour of this recurrence. However, in the present case, the expression does not admit of two constructions; it is co-extensive with the dominions of the King. I insist on this, only as a reservation of our right, and not with a view to exercise it, if it shall be inconvenient or disagreeable to the government of France. Only two appointments have as yet been made (Mr. Skipwith, at Martinique and Guadaloupe, and Mr. Bourne, in St. Dominique), and they shall be instructed not to ask a regular exequatur. We certainly wish to press nothing on our friends which shall be inconvenient. I shall hope that M. de Montmorin will order such attentions to be shewn to those gentlemen as the patronage of commerce may call for, and may not be inconvenient to the government. These gentlemen are most pointedly instructed not to intermeddle, by word or deed, with political matters.

My letter of August, 1790, to Mr. Carmichael, was delivered to him by Colonel Humphreys.

The report you mention of the prospect of our captives at Algiers being liberated, has not taken its rise from any authoritative source. Unfortunately for us, there have been so many persons, who (from friendly or charitable motives, or to recommend themselves) have busied themselves about this redemption, as to excite great expectations in the captors, and render our countrymen in fact irredeemable. We have not a single operation on foot for that purpose, but what you know of, and the more all voluntary interpositions are discouraged, the better for our unhappy friends, whom they are meant to serve.

You know how strongly we desire to pay off our whole debt to France, and that for this purpose we will use our credit as far as it will hold good. You know also, what may be the probability of our being able to borrow the whole sum. Under these dispositions and prospects, it would grieve us extremely to see our debt pass into the hands of speculators, and be subjected ourselves to the chicaneries and vexations of private avarice. We desire you, therefore, to dissuade the government, as far as you can prudently, from listening to any overtures of that kind; and as to the speculators themselves, whether native or foreign, to inform them, without reserve, that our government condemns their projects, and reserves to itself the right of paying no where but into the treasury of France, according to their contract.

I inclose you a copy of Mr. Grand's note to me, stating the conditions on which Drost would come, and also a letter from the Secretary of the Treasury, expressing his ideas as to those terms, with which I agree. We leave to your agency the engaging and sending Mr. Drost as soon as possible, and to your discretion to fix the terms, rendering the allowance for expenses certain, which his first proposition leaves uncertain. Subsistence here costs about one third of what it does in Paris, to a housekeeper. In a lodging house, the highest price for a room and board is a dollar a day, for the master, and half that for the servant. These facts may enable you to settle the article of expenses reasonably. If Mr. Drost undertakes assaying, I should much rather confide it to him, than to any other person who can be sent.

It is the most confidential operation in the whole business of coining. We should expect him to instruct a native in it. I think too, he should be obliged to continue longer than a year, if it should be necessary for qualifying others to continue his operations. It is not important that he be here till November or December, but extremely desirable then. He may come as much sooner as he pleases.

We address to M. la Motte a small box for you, containing a complete set of the journals of the ancient Congress, the acts of the last session of the federal legislature, and a continuation of the newspapers.

I am, with great and sincere esteem,
Dear Sir,
Your affectionate friend and humble servant,
TH. JEFFERSON.

TO MR OTTO.

Philadelphia, May 7, 1791.

SIR,

I have now the honour to return you the propositions of Messrs. Schweizer, Jeanneret and Company, which have been submitted to the Secretary of the Treasury. He does not think they can be acceded to on the part of the United States. The greater premium demanded than what we now pay, the change of the place of payment, the change of the bankers whom we have always employed for others unknown to us, the danger of risking our credit by putting such a mass of our paper into new hands, will, I dare say, appear to you, Sir, substantial reasons for declining this measure; and the more so, as the new instructions given to Mr. Short are to raise money as fast as our credit will admit: and we have no reason to suppose it cannot be as soon done by our ancient bankers as by others. Our desire to pay our whole debt, principal and interest, to France, is as strong as hers can be to receive it, and we believe, that by the arrangements already taken, it will be as soon done for her, and more safely and advantageously for us, than by a change of them. We beg you to be assured, that no exertions are sparing on our part to accomplish this desirable object, as it will be peculiarly gratifying to us, that monies advanced to us in critical times, should be reimbursed to France in times equally critical to her.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO THE ATTORNEY OF THE DISTRICT OF KENTUCKY.

Philadelphia, May 7, 1791.

SIR,

A certain James O'Fallon is, as we are informed, undertaking to raise, organise, and commission an army, of his own authority, and independent of that of the government, the object of which is, to go and possess themselves of lands which have never yet been granted by any authority which the government admits to be legal, and with an avowed design to hold them by force against any power, foreign or domestic. As this will inevitably commit our whole nation in war with the Indian nations, and perhaps others, it cannot be permitted that all the inhabitants of the United States shall be involved in the calamities of war, and the blood of thousands of them be poured out, merely that a few adventurers may possess themselves of lands: nor can a well ordered government tolerate such an assumption of its sovereignty by unauthorised individuals. I send you herein the Attorney General's opinion of what may legally be done, with a desire that you proceed against the said O'Fallon according to law. It is not the wish to extend the prosecution to other individuals, who may have given thoughtlessly into his unlawful proceeding. I inclose you a proclamation to this effect. But they may be assured, that if this undertaking be prosecuted, the whole force of the United States will be displayed to punish the transgression. I inclose you one of O'Fallon's commissions, signed, as is said, by himself.

I have the honour to be, with great esteem,

Sir,

Your most obedient and humble servant,

TH. JEFFERSON.

TO THOMAS BARCLAY.

Philadelphia, May 13, 1791.

Sir,

You are appointed by the President of the United States, to go to the court of Morocco for the purpose of obtaining from the new Emperor, a recognition of our treaty with his father. As it is thought best that you should go in some definite character, that of consul has been adopted, and you consequently receive a commission as consul for the United States, in the dominions of the Emperor of Morocco, which, having been issued during the recess of the Senate, will of course expire at the end of their next session. It has been thought best, however, not to insert this limitation in the commission, as being unnecessary; and it might, perhaps, embarrass. Before the end of the next session of the Senate, it is expected the objects of your mission will be accomplished.

Lisbon being the most convenient port of correspondence between us and Morocco, sufficient authority will be given to Colonel Humphreys, resident of the United States at that place, over funds in Amsterdam, for the objects of your mission. On him, therefore, you will draw for the sums herein allowed, or such parts of them as shall be necessary. To that port, too, you had better proceed in the first vessel which shall be going there, as it is expected you will get a ready passage from thence to Morocco.

On your arrival at Morocco, sound your ground, and know how things stand at present. Your former voyage there, having put you in possession of the characters through whom this may be done, who may best be used for approaching the Emperor and effecting your purpose, you are left to use your own knowledge to the best advantage.

The object being merely to obtain an acknowledgment of the treaty, we rely that you will be able to do this, giving very moderate presents. As the amount of these will be drawn into precedent on future similar repetitions of them, it becomes important. Our distance, our seclusion from the ancient world, its politics and usages, our agricultural occupations and habits, our poverty, and lastly, our determination to prefer war in all cases to tribute under any form, and to any people whatever, will furnish you with topics for opposing and refusing high or dishonouring pretensions; to which may be added, the advantages their people will derive from our commerce, and their sovereign from the duties laid on whatever we extract from that country.

Keep us regularly informed of your proceedings and progress, by writing by every possible occasion, detailing to us particularly your conferences, either private or public, and the persons with whom they are held.

We think that Francisco Chiappe has merited well of the United States, by his care of their peace and interests. He has sent an account of disbursements for us, amounting to three hundred and ninety-four dollars. Do not recognise the account, because we are unwilling, by doing that, to give him a colour for presenting larger ones hereafter, for expenses which it is impossible for us to scrutinise or controul. Let him understand, that our laws oppose the application of public money so informally; but in your presents treat *him* handsomely, so as not only to cover this demand, but go beyond it with a liberality which may fix him deeply in our interests. The place he holds near the Emperor, renders his friendship peculiarly important. Let us have nothing further to do with his brothers, or any other person. The money which would make one good friend, divided among several, will produce no attachment.

The Emperor has intimated that he expects an ambassador from us. Let him understand, that this may be a custom of the old world, but it is not ours; that we never sent an ambassador to any nation.

You are to be allowed, from the day of your departure till your return, one hundred and sixty-six dollars and sixty-six cents and two-thirds, a month, for your time and expenses, adding thereto your passage money and sea stores going and coming.

Remain in your post till the 1st of April next, and as much longer as shall be necessary to accomplish the objects of your mission, unless you should receive instructions from hence to the contrary.

With your commission, you will receive a letter to the Emperor of Morocco, a cypher, and a letter to Colonel Humphreys.

I have the honour to be, with great esteem,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

A private instruction, which Mr. Barclay is to carry in his memory, and not on paper, lest it should come into improper hands.

We rely that you will obtain the friendship of the new Emperor, and his assurances that the treaty shall be faithfully observed, with as little expense as possible. But the sum of ten thousand dollars is fixed as the limit which all your donations together are not to exceed.

May 13, 1791.

[Letter from the President to the Emperor of Morocco, referred to in the letter to Mr. Barclay.]

GREAT AND MAGNANIMOUS FRIEND,

Separated by an immense ocean from the more ancient nations of the earth, and little connected with their politics or proceedings, we are late in learning the events which take place among them, and later in conveying to them our sentiments thereon.

The death of the late Emperor, your father and our friend, of glorious memory, is one of those events which, though distant, attracts our notice and concern. Receive, great and good friend, my sincere sympathy with you on that loss; and permit me, at the same time, to express the satisfaction with which I learn the accession of so worthy a successor to the imperial throne of Morocco, and to offer you the homage of my sincere congratulations. May the days of your Majesty's life be many and glorious, and may they ever mark the era during which a great people shall have been most prosperous and happy, under the best and happiest of sovereigns.

The late Emperor, very soon after the establishment of our infant nation, manifested his royal regard and amity to us by many friendly and generous acts, and particularly by the protection of our citizens in their commerce with his subjects. And as a further instance of his desire to promote our prosperity and intercourse with his realms, he entered into a treaty of amity and commerce with us, for himself and his successors, to continue fifty years. The justice and magnanimity of your Majesty leave us full confidence that the treaty will meet your royal patronage also; and it will give me great satisfaction to be assured, that the citizens of the United States of America may expect from your imperial Majesty, the same protection and kindness, which the example of your illustrious father has taught them to expect from those who occupy the throne of Morocco, and to have your royal word, that they may count on a due observance of the treaty which cements the two nations in friendship.

This will be delivered to your Majesty by our faithful citizen, Thomas Barclay, whom I name consul for these

United States, in the dominions of your Majesty, and who, to the integrity and knowledge qualifying him for that office, unites the peculiar advantage of having been the agent, through whom our treaty with the late Emperor was received. I pray your Majesty to protect him in the exercise of his functions for the patronage of the commerce between our two countries, and of those who carry it on.

May that God, whom we both adore, bless your imperial Majesty with long life, health, and success, and have you always, great and magnanimous friend, under his holy keeping.

Written at Philadelphia, the thirty-first day of March, in the fifteenth year of our sovereignty and independence, from your good and faithful friend,

GEORGE WASHINGTON.

By the President.

TH. JEFFERSON.

TO FULWAR SKIPWITH.

Philadelphia, May 13, 1791.

SIR,

You will readily conceive, that the union of domestic with the foreign affairs under the department of State, brings on the head of this department such incessant calls, not admitting delay, as oblige him to postpone whatever will bear postponing: hence, though it is important that I should continue to receive, from time to time, regular information from you of whatever occurs within your notice, interesting to the United States, yet it is not in my power to acknowledge the receipt of your letters, regularly as they come. I mention this circumstance, that you may ascribe the delay of acknowledgment to the real cause, and that it may not produce any relaxation on your part in making all those communications which it is important should be received, and which govern our proceedings, though it is not in my power to note it to you specially.

I had hoped that Congress, at their last session, would have passed a bill for regulating the functions of consuls. Such an one was laid before them, but there being a considerable difference of opinion as to some of its parts, it was finally lost by the shortness of the session, which the constitution had limited to the 3d of March. It will be taken up again at the ensuing session of October next: in the mean time, you will be pleased to govern yourself by the instructions already given.

In general, our affairs are proceeding in a train of unparalleled prosperity. This arises from the real improvements of our government, from the unbounded confidence reposed in it by the people, their zeal to support it, and their conviction that a solid union is the best rock of their safety, from the favourable seasons which, for some years past, have co-operated with a fertile soil and genial climate to increase the productions of agriculture, and from the growth of industry, economy, and domestic manufactures. So that I believe I may say, with truth, that there is not a nation under the sun enjoying more present prosperity, nor with more in prospect.

The Indians on our frontier, indeed, still continue to cut off straggling individuals or families falling in their way. An expedition against them the last summer, was less successful than there was reason to expect; we lost in it about one hundred men. The operations of the present summer will more probably bring them to peace, which is all we desire of them, it having been a leading object of our present government to guarantee them in their present possessions, and to protect their persons with the same fidelity which is extended to its own citizens. We ask nothing of them but that they will accept our peace, friendship, and services; and we hope soon to make them sensible of this, in spite of the incitements against us, which they have been so much the dupes of. This is the general state of our affairs at present, as faithfully as I am able to give it.

Your favours of August the 30th, September the 18th, October the 10th, and February the 10th, have been duly received. Particular reasons render it improper to press a formal acknowledgment of our consuls in the French colonies; for this purpose we must wait till circumstances shall render it less inconvenient to their government. In the mean time, as to every thing essential, the same attention will be paid to yourself, your representations, and applications, as if you were formally acknowledged. I am to recommend to you, in the strongest terms, not to intermeddle in the least, by word or deed, in the internal disputes of the colony, or those with the mother country: consider this as a family affair, with which we have neither the right nor the wish to intermeddle. We shall expect, however, narratives of them from time to time.

I have the honour to be,

Sir, your most obedient and most humble servant,

TH. JEFFERSON.

TO WILLIAM CARMICHAEL.

Philadelphia, May 16, 1791.

Sir,

Mr. Swanwick informs me that the house of Morris, Willing, and Swanwick has suffered a very considerable loss in the port of St. Andero, by an abuse of office, in having a cargo of corn thrown overboard as being bad, when it was in fact perfectly good. I know that in some countries of Europe it is often difficult to obtain justice against persons protected by court favour. In this, as in all other instances where our citizens shall have occasion to seek justice in the country of your residence, I would wish you to interfere just so far as, by the influence of your character, to counterbalance the undue protection of their opponents, so as that equal and impartial justice may be done them.

The regulation by which they suffer in the present instance, is, in its nature, extremely susceptible of abuse, and prevails, as I am told, only in the ports of the Bay of Biscay. The patronage of our commerce being the chief object of our diplomatic establishments abroad, you would render that an essential service could you obtain a repeal of this regulation, or an impartial exercise of it, if the repeal cannot be obtained; and, in any event, a permission to re-export a cargo of grain condemned.

I have the honour to be, with great esteem and respect,
Sir,
Your most obedient and most humble servant,
Th. Jefferson.

TO COLONEL HUMPHREYS.

Philadelphia, July 13, 1791.

Sir,

Mr. Barclay having been detained longer than was expected, you will receive this, as well as my letter of May the 13th, from him. Since the date of that, I have received your No. 15, March the 31st; No. 16, April the 8th; No. 17, April the 30th; No. 18, May the 3rd; and No. 20, May the 21st.

You are not unacquainted with the situation of our captives at Algiers. Measures were taken, and were long depending, for their redemption. During the time of their dependence, we thought it would forward our success to take no notice of the captives. They were maintained by the Spanish Consul, from whom applications for reimbursement, through Mr. Carmichael, often came: no answer of any kind was ever given. A certainty now that our measures for their redemption will not succeed, renders it unnecessary for us to be so reserved on the subject, and to continue to wear the appearance of neglecting them. Though the government might have agreed to ransom at the lowest price admitted with any nation, (as, for instance, that of the French order of Merci,) they will not give any thing like the price which has been lately declared to be the lowest by the captors. It remains then for us to see what other means are practicable for their recovery. In the mean time, it is our desire that the disbursements hitherto made for their subsistence, by the Spanish consul or others, be paid off, and that their future comfortable subsistence be provided for. As to past disbursements, I must beg the favour of you to write to Mr. Carmichael, that you are authorised to pay them off, pray him to let you know their amount, and to whom payments are due. With respect to future provision for the captives, I must put it into your hands. The impossibility of getting letters to or from Mr. Carmichael, renders it improper for us to use that channel. As to the footing on which they are to be subsisted, the ration and clothing of a soldier would have been a good measure, were it possible to apply it to articles of food and clothing so extremely different as those used at Algiers. The allowance heretofore made them by the Spanish consul might perhaps furnish a better rule, as we have it from themselves that they were then comfortably subsisted. Should you be led to correspond with them at all, it had better be with Captain O'Bryan, who is a sensible man, and whose conduct since he has been there has been particularly meritorious. It will be better for you to avoid saying any thing which may either increase or lessen their hopes of ransom. I write to our bankers to answer your drafts for these purposes, and inclose you a duplicate to be forwarded with your first draft. The prisoners are fourteen in number; their names and qualities are as follow:—Richard O'Bryan and Isaac Stephens, captains; Andrew Montgomery and Alexander Forsyth, mates; Jacob Tessanier, a French passenger; William Patterson, Philip Sloan, Peleg Lorin, John Robertson, James Hall, James Cathcart, George Smith, John Gregory, James Hermel, seamen. They have been twenty-one or twenty-two.

We are in hourly expectation of hearing the event of General Scott's irruption into the Indian country, at the head of between seven and eight hundred mounted infantry. Perhaps it may yet be known in time to communicate to you by this opportunity. Our bank was filled with subscriptions the moment it was opened. Eight millions of dollars were the whole permitted to be subscribed, of which two millions were deposited in cash, the residue to be public paper. Every other symptom is equally favourable to our credit.

The President has returned from his southern tour in good health. You will receive herewith the newspapers up to the present date.

I have the honour to be, with great esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. VAN BERKEL.

Philadelphia, July 14, 1791.

SIR,

I take the liberty of troubling you with the perusal of the inclosed papers from Mr. Shaw, Consul for the United States in the East Indies, wherein you will observe he complains of a prohibition from the government of Batavia to *American* ships *by name*, to have any trade in that port, while such trade was permitted to other nations. I do not hesitate to presume, that something has been misunderstood in this case. My presumption is founded on those sentiments of general amity which subsist between our government and that of the United Netherlands, and also on the whole tenor of our treaty, which secures to us always the treatment of the most favoured nation. Nevertheless, the refusal by the government of Batavia has been so formal, so delicate, and pointed, as to render it necessary to ask for some explanation. If you will allow me the honour of a moment's conference on this subject the first time you come to town, I shall be obliged to you; and in the mean time, have that of assuring you of those sentiments of esteem and respect, with which I am,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, July 26, 1791.

DEAR SIR,

Your favours of February the 26th and March the 16th, have been duly received. The conferences which you held last with the British minister needed no apology. At the time of writing my letter, desiring that communications with them might cease, it was supposed possible that some might take place before it would be received. They proved to be such as not to vary the opinion formed; and, indeed, the result of the whole is what was to have been expected from known circumstances. Yet the essay was perhaps necessary to justify, as well as induce the measures proper for the protection of our commerce. The first remittance of a thousand dollars to you was made without the aid of any facts which could enable the government to judge what sum might be an indemnification for the interference of the business referred to you, with your private pursuits. Your letter of February the 26th furnishing grounds for correcting the first judgment, I now inclose you a bill on our bankers in Holland for another sum of a thousand dollars. In the original remittance, as in this supplement to it, there has been no view but to do what is right between the public and those who serve them.

Though no authentic account is yet received, we learn through private channels that General Scott has returned from a successful expedition against the Indians, having killed about thirty warriors, taking fifty odd women and children prisoners, and destroyed two or three villages, without the loss of a man, except three drowned by accident. A similar expedition was to follow immediately after the first, while preparations are making for measures of more permanent effect. So that we hope this summer to bring the Indians to accept of a just and general peace, on which nothing will be asked of them but their peace.

The crops of wheat in the United States are rather abundant, and the quality good. Those of tobacco are not promising as yet. I have heard nothing of the rice crops.

I am, with very great esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, July 28, 1791.

Dear Sir,

Since my last I have received letters from you as follows:

* * * * * * *

Mine to you, unacknowledged, were of March the 8th, 12th, 15th, 19th, April the 25th, and May the 10th. Your two last letters mention the length of time you have been without intelligence, having then received mine of January the 23rd only. You will perceive by the above, that six letters of a later date were on their way to you. The receipt of these, with the newspapers, journals, laws, and other printed papers accompanying them, will have relieved your anxiety by answering several articles of your former letters, and opening to you some new and important matters. I scarcely ever miss the opportunity of a private vessel going from hence or New York to any port of France without writing to you, and sending you the newspapers, &c. In the winter, occasions are very rare, this port particularly being blocked up with ice. The reason of so long an interval between the last and present letter has been the journey of a month, which that informed you I was about to take. This is the first vessel which has offered since my return; she is bound to Havre, and will carry the newspapers as usual.

The difference of sixty-two livres ten sols the hogshead, established by the National Assembly on tobacco brought in their and our ships, is such an act of hostility against our navigation as was not to have been expected from the friendship of that nation. It is as new in its nature, as extravagant in its degree, since it is unexampled that any nation has endeavoured to wrest from another the carriage of its own produce, except in the case of their colonies. The British Navigation Act, so much and so justly complained of, leaves to all nations the carriage of their own commodities free. This measure, too, is calculated expressly to take our own carriage from us, and give the equivalent to other nations; for it is well known that the shipping of France is not equal to the carriage of their whole commerce; but the freight in other branches of navigation being on an equal footing with only forty livres the hogshead, in ours, and this new arrangement giving them sixty-two livres ten sols the hogshead, in addition to their freight, that is to say, one hundred and two livres ten sols, instead of forty livres, their vessels will leave every other branch of business to fill up this. They will consequently leave a void in those other branches, which will be occupied by English, Dutch, and Swedes, on the spot. They complain of our tonnage duty; but it is because it is not understood. In the ports of France, we pay fees for anchorage, buoys and beacons, fees to measurers, weighers and gaugers, and, in some countries, for light-houses. We have thought it better that the public here should pay all these, and reimburse itself by a consolidation of them into one fee, proportioned to the tonnage of the vessel, and therefore called by that name. They complain that the foreign tonnage is higher than the domestic. If this complaint had come from the English, it would not have been wonderful, because the foreign tonnage operates really as a tax on their commerce, which, under this name, is found to pay sixteen dollars and fifty cents for every dollar paid by France. It was not conceived, that the latter would have complained of a measure calculated to operate so unequally on her rival, and I still suppose she would not complain, if the thing were well understood. The refusing to our vessels the faculty of becoming national bottoms, on sale to their citizens, was never before done by any nation but England. I cannot help hoping that these were wanderings of a moment, founded in misinformation, which reflection will have corrected before you receive this.

Whenever jealousies are expressed as to any supposed views of ours, on the dominion of the West Indies, you cannot go farther than the truth, in asserting we have none. If there be one principle more deeply rooted than any other in the mind of every American, it is, that we should have nothing to do with conquest. As to commerce, indeed, we have strong sensations. In casting our eyes over the earth, we see no instance of a nation forbidden, as we are, by foreign powers, to deal with neighbours, and obliged, with them, to carry into another hemisphere, the mutual supplies necessary to relieve mutual wants. This is not merely a question between the foreign power and our neighbour. We are interested in it equally with the latter, and nothing but moderation, at least with respect to us, can render us indifferent to its continuance. An exchange of surpluses and wants between neighbour nations, is both a right and a duty under the moral law, and measures against right should be mollified in their exercise, if it be wished to lengthen them to the greatest term possible. Circumstances sometimes require, that rights the most unquestionable should be advanced with delicacy. It would seem that the one now spoken of, would need only a mention, to be assented to by any unprejudiced mind: but with respect to America, Europeans in general have been too long in the habit of confounding force with right. The Marquis de la Fayette stands in such a relation between the two countries, that I should think him perfectly capable of seeing what is just as to both. Perhaps on some occasion of free conversation, you might find an opportunity of impressing these truths on his mind, and that from him they might be let out at a proper moment, as matters meriting consideration and weight, when they shall be engaged in the work of forming a constitution for our neighbours. In policy, if not in justice, they should be disposed to avoid oppression, which, falling on us as well as on their colonies, might tempt us to act together.*

The element of measure adopted by the National Assembly excludes, *ipso facto*, every nation on earth from a communion of measure with them; for they acknowledge themselves, that a due portion for admeasurement of a meridian crossing the forty-fifth degree of latitude, and terminating at both ends in the same level, can be found in no country on earth but theirs. It would follow, then, that other nations must trust to their admeasurement, or send persons into their country to make it themselves, not only in the first instance, but whenever afterwards they may wish to verify their measures. Instead of concurring, then, in a measure which, like the pendulum, may be found in every point of the forty-fifth degree, and through both hemispheres, and consequently in all the countries of the earth lying under that parallel, either northern or southern, they adopt one which can be found but in a single point of the northern parallel, and consequently only in one country, and that country is theirs.

I left with you a statement of the case of Schweighauser and Dobrée, with the original vouchers on which it depends. From these you will have known, that being authorised by Congress to settle this matter, I began by offering to them an arbitration before honest and judicious men of a neutral nation. They declined this, and had the modesty to propose an arbitration before *merchants of their own town*. I gave them warning then, that as the offer on the part of a sovereign nation to submit to a private arbitration was an unusual condescendence, if they did not accept it then, it would not be repeated, and that the United States would judge the case for themselves hereafter. They continued to decline it, and the case now stands thus. The territorial judge of France has undertaken to call the United States to his jurisdiction, and has arrested their property, in order to enforce appearance, and possess himself of a matter whereon to found a decree; but no court can have jurisdiction over a sovereign nation. This position was agreed to; but it was urged, that some act of Mr. Barclay's had admitted the jurisdiction. It was denied that there had been any such act by Mr. Barclay, and disavowed, if there was one, as without authority from the United States, the property on which the arrest was made having been purchased by Dr. Franklin, and remaining in his possession till taken out of it by the arrest. On this disavowal, it was agreed that there could be no further contest, and I received assurance that the property should be withdrawn from the possession of the court by an evocation of the cause before the King's Council, on which, without other proceedings, it should be delivered to the United States. Applications were repeated as often as dignity, or even decency, would permit; but it was never done. Thus the matter rests, and thus it is meant it should rest. No answer of any kind is to be given to Schweighauser and Dobrée. If they think proper to apply to their sovereign, I presume there will be a communication either through you or their representative here, and we shall have no difficulty to shew the character of the treatment we have experienced.

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* This paragraph was in cypher, but an explication of it preserved with the copy.

I will observe, for your information, that the sustenance of our captives at Algiers is committed to Colonel Humphreys.

You will be so kind as to remember, that your public account from the 1st day of July, 1790, to the last of June, 1791, inclusive, is desired before the meeting of Congress, that I may be able to lay before them the general account of the foreign fund for that year.

General Scott has returned from a successful expedition against the northern Indians, having killed thirty-two warriors, taken fifty-eight women and children prisoners, and destroyed three towns and villages, with a great deal of corn in grain and growth. A similar expedition was to follow immediately, while preparation is making for measures of more permanent effect; so that we may reasonably hope the Indians will be induced to accept of peace, which is all we desire.

Our funds have risen nearly to par. The eight millions for the bank was subscribed as fast as it could be written, and that stock is now above par. Our crops of wheat have been rather abundant, and of excellent quality. Those of tobacco are not very promising as yet. The census is not yet completed, but from what we hear, we may expect our whole numbers will be nearer four than three millions. I inclose a sketch of the numbers, as far as we yet know them.

I am, with great and sincere esteem,
Dear Sir,
Your sincere friend and servant,
TH. JEFFERSON.

TO THE PRESIDENT.

Philadelphia, July 30, 1791.

SIR,

I have the honour to inclose for your perusal, a letter which I have prepared for Mr. Short.

The ill humour into which the French colonies are getting, and the little dependence on the troops sent thither, may produce a hesitation in the National Assembly as to the conditions they will impose in their constitution. In a moment of hesitation, small matters may influence their decision. They may see the impolicy of insisting on particular conditions, which, operating as grievances on us as well as on their colonists, might produce a concert of action. I have thought it would not be amiss to trust to Mr. Short the sentiments in the cyphered part of the letter, leaving him to govern himself by circumstances, whether to let them leak out at all or not, and whether so as that it may be known, or remain unknown, that they come from us. A perfect knowledge of his judgment and discretion leaves me entirely satisfied that they will be not used, or so used as events shall render proper. But if you think that the possibility that harm may be done, overweighs the chance of good, I would expunge them, as, in cases of doubt, it is better to say too little than too much.

I have the honour to be, with the most perfect respect and attachment,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GENERAL KNOX.

Philadelphia, August 10, 1791.

Dear Sir,

I have now the honour to return you the petition of Mr. Moultrie on behalf of the South Carolina Yazoo Company. Without noticing that some of the highest functions of sovereignty are assumed in the very papers which he annexes as his justification, I am of opinion that government should firmly maintain this ground; that the Indians have a right to the occcupation of their lands, independent of the State within whose chartered lines they happen to be; that until they cede them by treaty, or other transaction equivalent to a treaty, no act of a State can give a right to such lands; that neither under the present constitution nor the ancient confederation, had any State or person a right to treat with the Indians, without the consent of the general Government; that that consent has never been given to any treaty for the cession of the lands in question; that the government is determined to exert all its energy for the patronage and protection of the rights of the Indians, and the preservation of peace between the United States and them; and that if any settlements are made on lands not ceded by them, *without the previous consent of the United States*, the government will think itself bound, not only to declare to the Indians that such settlements are without the authority or protection of the United States, but to remove them also by the public force.

It is in compliance with your request, my dear Sir, that I submit these ideas to you, to whom it belongs to give place to them, or such others as your better judgment shall prefer, in answer to Mr. Moultrie.

I have the honour to be, with sentiments of the most sincere and respectful esteem,

Dear Sir,
Your most obedient and most humble servant,
Th. Jefferson.

The Secretary of State has the honour to inform the Minister of France, that the President will receive his letters of credence to day, at half after two; that this will be done in a room of private audience, without any ceremony whatever, or other person present than the Secretary of State, this being the usage which will be observed.

As the Secretary of State will be with the President before that hour, on business, the Minister will find him there.

August 12, 1791.

TO SYLVANUS BOURNE.

Philadelphia, August 14, 1791.

Sir,

My letter of May the 13th acknowledged the receipt of yours of November the 30th. Since writing that, I have received yours of April the 29th and June the 30th, addressed to myself, and of July the 14th, to Mr. Remsen. As none of these acknowledge mine of May the 13th, I now enclose you a duplicate of it, fearing the first has miscarried. In this, you will find the sentiments of our government on the subject of your recognition. Subsequent circumstances have rendered it an object still less proper to be pressed. In the present divisions of that country, we wish to avoid every measure which may excite the jealousy of any party, being sincerely the friends and well wishers of all. As to my writing to the Governor, as pressed in your letter of April the 29th, it would be contrary to the usage established among nations, and therefore cannot be done. We have received consuls from France, England, Portugal, Sweden, with no other credential but their open commissions; we have sent consuls to most of the countries of Europe with nothing more. There has never been an instance of a special letter demanded.

Though we have not received an authenticated copy of the decree of the National Assembly of France, extending the repeal of the law of Droit d'Aubaine, by name, to their colonies, yet we know it has been so extended, and doubt not that a notification thereof has been sent to the colonies, so as to relieve us from that oppression.

As Congress have not, as yet, allowed any emoluments to the consuls of the United States, and perhaps may not mean to do it, we do not expect that any of those gentlemen will think themselves confined to their residence a moment beyond their own convenience. These appointments are given to gentlemen who are satisfied to perform their duties, in consideration of the respect and accidental advantages they may derive from them. When the consideration ceases to be sufficient, the government cannot insist on a continuation of services, because this would found claims which it does not mean to authorise. On these principles, Mr. Skipwith has lately returned from Martinique; on the same, it is my duty to say, that however satisfied we should be with a continuance of your services at St. Domingo, we cannot and do not ask them longer than convenient to yourself.

I have the honour to be, with great regard,
Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, August 29, 1791.

DEAR SIR,

I am to acknowledge the receipt of your No. 67, June the 6th, No. 68, June the 10th, No. 69, June the 22d, No. 70, June the 26th, No. 71, June the 29th; the three last by the British packet. My last to you was of July the 28th, by a vessel bound to Havre. This goes to the same port, because accompanied by newspapers. It will be the last I shall write you these two months, as I am to set out for Virginia the next week. I now inclose you a copy of my letter of March the 12th, to Mr. Carmichael, which you say was not in that of the same date to you. There was no paper to accompany it but St. Marie's, which you say you received. I inclose you also a copy of our census, written in black ink, so far as we have actual returns, and supplied by conjecture, in red ink, where we have no returns; but the conjectures are known to be very near the truth. Making very small allowance for omissions, which we know to have been very great, we are certainly above four millions, probably about four millions one hundred thousand.

There is a vessel now lying at Philadelphia, advertising to receive emigrants to Louisiana, gratis, on account of the Spanish government. Be so good as to mention this to M. de Montmorin, who will be a judge what we must feel under so impudent a transaction.

You observe, that if Drost does not come, you have not been authorised to engage another coiner. If he does not come, there will probably be one engaged here. If he comes, I should think him a safe hand to send the diplomatic die by, as also all the dies of our medal, which may be used here for striking off what shall be wanting hereafter. But I would not have them trusted at sea, but from April to October, inclusive. Should you not send them by Drost, Havre will be the best route. I have not spoken with the Secretary of the Treasury yet, on the subject of the presses, but believe you may safely consider two presses as sufficient for us, and agree for no more without a further request.

The decree of the National Assembly, relative to tobacco carried in French or American ships, is likely to have such an effect in our ports, as to render it impossible to conjecture what may or may not be done. It is impossible to let it go on without a vigorous correction. If that should be administered on our part, it will produce irritation on both sides, and lessen that disposition which we feel cordially to concur in a treaty, which shall melt the two nations, as to commercial matters, into one, as nearly as possible. It is extremely desirable that the National Assembly should themselves correct the decree, by a repeal founded on the expectation of an arrangement.

We have, as yet, no news of the event of our second expedition against the Indians.

I am, with great and sincere esteem,
Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO M. LA MOTTE.

Philadelphia, August 30, 1791.

SIR,

I am now to acknowledge the receipt of your favours of February the 9th, March the 25th, and April the 24th; as also the several packages of wine, carriages, &c. which came safe to hand, and for your care of which, be pleased to accept my thanks.

I am sensible of the difficulties to which our consuls are exposed by the applications of sailors, calling themselves Americans. Though the difference of dialect between the Irish and Scotch, and the Americans, is sensible to the ear of a native, it is not to that of a foreigner, however well he understands the language; and between the American and English, (unless of particular provinces), there is no difference sensible even to a native. Among hundreds of applications to me, at

Paris, nine tenths were Irish, whom I readily discovered. The residue, I think, were English: and, I believe, not a single instance of a Scotchman or American. The sobriety and order of the two last, preserve them from want. You will find it necessary, therefore, to be extremely on your guard against these applications. The bill of expenses for Huls, is much beyond those aids which I should think myself authorised to have advanced habitually, until the law shall make express provision for that purpose. I must, therefore, recommend to you, to hazard only small sums in future, until our legislature shall lay down more precise rules for my government.

The difference of duty on tobacco, carried to France in French and American bottoms, has excited great uneasiness. We presume the National Assembly must have been hurried into the measure, without being allowed time to reflect on its consequences. A moment's consideration must convince any body, that no nation upon earth ever submitted to so enormous an assault on the transportation of their own produce. Retaliation, to be equal, will have the air of extreme severity and hostility. Such would be an *additional tonnage* of twelve livres ten sous the ton burthen, on all *French* ships entering our ports. Yet this would but exactly balance an *additional duty* of six livres five sous the hogshead of tobacco, brought in *American ships* entering in the ports of France. I hope, either that the National Assembly will repeal the measure, or the proposed treaty be so hastened, as to get this matter out of the way before it shall be necessary for the ensuing legislature to act on it. Their measure, and our retaliation on it, which is unavoidable, will very ill prepare the minds of both parties for a liberal treaty. My confidence in the friendly dispositions of the National Assembly, and in the sincerity of of what they have expressed on the subject, induce me to impute it to surprise altogether, and to hope it will be repealed before time shall be given to take it up here.

I have the honour to be, with great esteem,

Sir,

Your most obedient humble servant,

TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, August 30, 1791.

Dear Sir,

My letter of July the 26th covered my first of exchange for a thousand dollars, and though that went by so sure an opportunity as to leave little doubt of its receipt, yet, for greater security, I inclose a second.

The tranquillity of our country leaves us nothing to relate, which may interest a mind surrounded by such buoyant scenes as yours. No matter; I will still tell you the charming though homespun news, that our crops of wheat have been abundant and of superior quality; that very great though partial drought has destroyed the crops of hay to the north, and corn to the south; that the late rains may recover the tobacco to a middling crop, and that the fields of rice are promising.

I informed you in my last, of the success of our first expedition against the Indians. A second has gone against them, the result of which is not yet known. Our public credit is good, but the abundance of paper has produced a spirit of gambling in the funds. which has laid up our ships at the wharves, as too slow instruments of profit, and has even disarmed the hand of the tailor of his needle and thimble. They say the evil will cure itself. I wish it may; but I have rarely seen a gamester cured, even by the disasters of his vocation. Some new indications of the ideas with which the British cabinet are coming into treaty, confirm your opinions, which I knew to be right. but the Anglomany of some would nor permit them to accede to.

Adieu, my dear Sir.
Your affectionate humble servant,
Th. Jefferson.

TO MONSIEUR DE TERNANT, Minister Plenipotentiary of France.

Philadelphia, September 1, 1791.

Sir,

I have communicated to the President what passed between us the other day, on the subject of the payments made to France by the United States in the *assignats* of that country, since they have lost their par with gold and silver; and after conferences, by his instruction, with the Secretary of the Treasury, I am authorized to assure you, that the government of the United States have no idea of paying their debt in a depreciated medium, and that in the final liquidation of the payments which shall have been made, due regard will be had to an equitable allowance for the circumstance of depreciation.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO T. NEWTON.

Georgetown, September 8, 1791.

DEAR SIR,

I was in the moment of my departure from Philadelphia, for Virginia, when I received your favour, inquiring how far the law of nations is to govern in proceedings respecting foreign consuls.

The law of nations does not of itself extend to consuls at all. They are not of the diplomatic class of characters, to which alone that law extends of right. Convention, indeed, may give it to them, and sometimes has done so; but in that case, the convention can be produced. In ours with France, it is expressly declared that consuls shall not have the privileges of that law, and we have no convention with any other nation.

Congress have had before them a bill on the subject of consuls, but have not as yet passed it. Their code then furnishes no law to govern these cases.

Consequently, *they are to be decided by the State laws alone.* Some of these, I know, have given certain privileges to consuls; and I think those of Virginia did at one time. Of the extent and continuance of those laws, you are a better judge than I am.

Independently of law, consuls are to be considered as distinguished foreigners, dignified by a commission from their sovereign, and specially recommended by him to the respect of the nation with whom they reside. They are subject to the laws of the land, indeed, precisely as other foreigners are, a convention, where there is one, making a part of the laws of the land; but if at any time their conduct should render it necessary to assert the authority of the laws over them, the rigour of those laws should be tempered by our respect for their sovereign, as far as the case will admit. This moderate and respectful treatment towards foreign consuls, it is my duty to recommend and press on our citizens, because I ask it for their good towards our own consuls, from the people with whom they reside.

In what I have said, I beg leave to be understood as laying down general principles only, and not as applying them to the facts which may have arisen. Before such application, those facts should be heard from all whom they interest. You, who have so heard them, will be able to make the application yourself, and that, not only in the present, but in future cases.

I have the honour to be, with great esteem,

Your most obedient humble servant,

TH. JEFFERSON.

Mr. Jefferson has the honour of presenting his compliments to Mr. Hammond, of expressing his regrets that he happened to be from home when Mr. Hammond did him the honour of calling on him, and was equally unlucky in not finding him at home when he waited on him on Monday. Being informed by Mr. Bond, that Mr. Hammond is charged with a public mission to the government of the United States, relative to which some previous explanations might be proper, Mr. Jefferson has the honour to assure Mr. Hammond, he shall be ready to receive any communications and enter into explanations, either formally or informally, as Mr. Hammond shall choose, and at any time suitable to him. He recollects with pleasure his acquaintance with Mr. Hammond in Paris, and shall be happy in every opportunity of rendering him such offices and attentions as may be acceptable to him.

October 26, 1791.

TO WILLIAM CARMICHAEL.

Philadelphia, November 6 1791.

SIR,

My last letter to you was of the 24th of August. A gentleman going from hence to Cadiz will be the bearer of this, and of the newspapers to the present date, and will take care that the letter be got safe to you, if the papers cannot.

Mr. Mangnal, at length tired out with his useless solicitations at this office, to obtain redress from the court of Spain for the loss of the Dover cutter, has laid the matter before Congress, and the Senate have desired me to report thereon to them. I am very sorry to know nothing more of the subject than that letter after letter has been written to you thereon, and that the office is in possession of nothing more than acknowledgements of your receipt of some of them, so long ago as August, 1786; and still to add, that your letter of January the 24th, 1791, is the only one received of later date than May the 6th, 1789. You certainly will not wonder, if the receipt of but one letter in two years and an half, inspires a considerable degree of impatience. I have learned, through a circuitous channel, that the court of Madrid is at length disposed to yield our right of navigating the Mississippi. I sincerely wish it may be the case, and that this act of justice may be made known, before the delay of it produces any thing intemperate from our western inhabitants.

Congress is now in session. You will see in the paper herewith sent, the several weighty matters laid before them in the President's speech. The session will probably continue through the winter. I shall sincerely rejoice to receive from you, not only a satisfactory explanation of the reasons why we receive no letters, but grounds to hope that it will be otherwise in future.

I have the honour to be, with great esteem.

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO THE PRESIDENT.

November 8, 791.

SIR,

I have the honour to inclose you the draught of a letter to Governor Pinckney, and to observe, that I suppose it to be proper that there should, on fit occasions, be a direct correspondence between the President of the United States and the Governors of the States; and that it will probably be grateful to them to receive from the President, answers to the letters they address to him. The correspondence with them on ordinary business, may still be kept up by the Secretary of State, in his own name.

I inclose also a letter to Major Pinckney, with a blank to be filled up, when you shall have made up your mind on it. I have conferred with Mr. M. on the idea of the commissioners of the federal town proceeding to make private sales of the lots, and he thinks it advisable. I cannot but repeat, that if the surveyors will begin on the river, laying off the lots from Rock Creek to the Eastern Branch, and go on, abreast, in that way, from the river towards the back part of the town, they may pass the avenue from the President's house to the capitol, before the spring; and as soon as they shall have passed it, a public sale may take place, without injustice to either the Georgetown or Carrolsburg interest. Will not the present afford you a proper occasion of assuring the commissioners that you leave every thing respecting L'Enfant to them?

I have the honour to be, with the most sincere respect,

Sir,

Your most obedient humble servant,

TH. JEFFERSON.

TO MAJOR THOMAS PINCKNEY.

Philadelphia, November 6, 1791.

SIR,

The mission of a Minister Plenipotentiary to the court of London being now to take place, the President of the United States is desirous of availing the public of your services in that office. I have it in charge, therefore, from him, to ask whether it will be agreeable that he should nominate you for that purpose to the Senate. We know that higher motives will alone influence your mind in the acceptance of this charge. Yet it is proper, at the same time, to inform you, that as a provision for your expenses in the exercise of it, an outfit of nine thousand dollars is allowed, and an annual salary to the same amount, payable quarterly. On receiving your permission, the necessary orders for these sums, together with your credentials, shall be forwarded to you, and it would be expected that you should proceed on the mission as soon as you can have made those arrangements for your private affairs, which such an absence may render indispensable. Let me only ask the favour of you to give me an immediate answer, and by duplicate, by sea and post, that we may have the benefit of both chances for receiving it as early as possible. Though I have not the honour of a personal acquaintance with you, yet I beg you to be assured, that I feel all that anxiety for your entrance on this important mission, which a thorough conviction of your fitness for it can inspire; and that in its relations with my office, I shall always endeavour to render it as agreeable to you as possible.

I have the honour to be, with sentiments of the highest respect and esteem,

Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO THE PRESIDENT.

Philadelphia, November 7, 1791.

SIR,

I have duly considered the letter you were pleased to refer to me, of the 18th of August, from his Excellency Governor Pinckney to yourself, together with the draught of one proposed to be written by him to the Governor of Florida, claiming the re-delivery of certain fugitives from justice, who have been received in that country. The inconveniences of such a receptacle for debtors and malefactors in the neighbourhood of the southern States, are obvious and great, and I wish the remedy were as certain and short as the latter seems to suppose.

The delivery of fugitives from one country to another, as practised by several nations, is in consequence of conventions settled between them, defining precisely the cases wherein such deliveries shall take place. I know that such conventions exist between France and Spain, France and Sardinia, France and Germany, France and the United Netherlands; between the several sovereigns constituting the Germanic body; and, I believe, very generally between co-terminous States on the continent of Europe. England has no such convention with any nation, and their laws have given no power to their executive to surrender fugitives of any description; they are, accordingly, constantly refused: and hence England has been the asylum of the Paolis, the La Mottes, the Calonnes, in short, of the most atrocious offenders, as well as the most innocent victims, who have been able to get there.

The laws of the United States, like those of England, receive every fugitive, and no authority has been given to our executives to deliver them up. In the case of Longchamp, a subject of France, a formal demand was made by the minister of France, and was refused. He had, indeed, committed an offence within the United States; but he was not demanded as a criminal, but as a subject.

The French government has shewn great anxiety to have such a convention with the United States, as might authorise them to demand their subjects coming here: they got a clause in the consular convention signed by Dr. Franklin and the Count de Vergennes, giving their consuls a right to take and send back captains of vessels, mariners, and *passengers*. Congress saw the extent of the word *passengers*, and refused to ratify the convention; a new one was therefore formed, omitting that word. In fact, however desirable it be that the perpetrators of crimes, acknowledged to be such by all mankind, should be delivered up to punishment, yet it is extremely difficult to draw the line between those, and acts rendered criminal by tyrannical laws only: hence the first step always, is a convention defining the cases where a surrender shall take place.

If, then, the United States could not deliver up to Governor Quesada, a fugitive from the laws of his country, we cannot claim, as a right, the delivery of fugitives from us; and it is worthy consideration, whether the demand proposed to be made in Governor Pinckney's letter, should it be complied with by the other party, might not commit us disagreeably, perhaps dishonourably, in event; for I do not think we can take for granted, that the legislature of the United States will establish a convention for the mutual delivery of fugitives; and without a reasonable certainty that they will, I think we ought not to give Governor Quesada any grounds to expect, that, in a similar case, we would re-deliver fugitives from his government.

I have the honour to be, with the most profound respect and attachment,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO WILLIAM SHORT.

Philadelphia, November 24, 1791.

Dear Sir,

My last to you was of August the 29th, acknowledging the receipt of your Nos. 67, 68, 69, 70, 71, and informing you I was about setting out to Virginia, and should not again write to you till my return. Only one vessel has sailed from hence to Havre since my return, and my notice of her departure was so short, that I could not avail myself of it. Your Nos. 72, 73, 74, 75, 78, came here during my absence, and 79, 80, were received October the 28th. The Nos. 76 and 77 seem to be missing.

You mention that Drost wishes the devices of our money to be sent to him, that he may engrave them there. This cannot be done, because not yet decided on. The devices will be fixed by the law which shall establish the mint. M. de Ternant tells me he has no instructions to propose to us the negotiation of a commercial treaty, and that he does not expect any. I wish it were possible to draw that negotiation to this place. In your letter of July the 24th, is the following paragraph. 'It is published in the English newspapers, that war is inevitable between the United States and Spain, and that preparations are making for it on both sides. M. de Montmorin asked me how the business stood at present, and seemed somewhat surprised at my telling him, that I knew nothing later than what I had formerly mentioned to him. I have, in more than one instance, experienced the inconvenience of being without information. In this, it is disagreeable, as it may have the appearance with M. de Montmorin, of my having something to conceal from him, which not being the case, it would be wrong that he should be allowed to take up such an idea. I observed, that I did not suppose there was any new circumstance, as you had not informed me of it.' Your observation was certainly just. It would be an Augean task for me to go through the London newspapers, and formally contradict all their lies, even those relating to America. On our side, there have been certainly no preparations for war against Spain; nor have I heard of any on their part, but *in the London newspapers*. As to the progress of the negotiation, I know nothing of it but from you; having never had a letter from Mr. Carmichael on the subject. Our best newspapers are sent you from my office with scrupulous exactness, by every vessel sailing to Havre or any other convenient port of France. On these I rely for giving you information of all the facts possessed by the public; and as to those not possessed by them, I think there has not been a single instance of my leaving you uninformed of any of them which related to the matters under your charge. In Freneau's paper of the 21st instant, you will see a small essay on population and emigration, which I think it would be well if the news writers of Paris would translate and insert in their papers. The sentiments are too just not to make impression.

Some proceedings of the Assembly of St. Domingo have lately taken place, which it is necessary for me to state to you exactly, that you may be able to do the same to M. de Montmorin. When the insurrection of their negroes assumed a very threatening appearance, the Assembly sent a deputy here to ask assistance of military stores and provisions. He addressed himself to M. de Ternant, who (the President being then in Virginia, as I was also) applied to the Secretaries of the Treasury and War. They furnished one thousand stand of arms, other military stores, and placed forty thousand dollars in the treasury, subject to the order of M. de Ternant, to be laid out in provisions, or otherwise, as he should think best. He sent the arms and other military stores; but the want of provisions did not seem so instantaneous as to render it necessary, in his opinion, to send any at that time. Before the vessel arrived in St. Domingo, the Assembly, further urged by the appearance of danger, sent two deputies more, with larger demands; viz. eight thousand fusils and bayonets, two thousand mousquatons, three thousand pistols, three thousand sabres, twenty-four thousand barrels of flour, four hundred thousand livres worth of Indian meal, rice, peas, and hay, and a large quantity of plank, &c. to repair the buildings destroyed. They applied to M. de Ternant, and then with his consent to me, he and I having previously had a conversation on the subject. They proposed to me, first, that we should supply those wants from the money we owed France; or, secondly, from the bills of exchange which they were authorised to draw on a particular fund in France; or, thirdly, that we would guarantee their bills, in which case they could dispose of them to merchants, and buy the necessaries themselves. I convinced them the two latter alternatives were beyond the powers of the executive, and the first could only be done with the consent of the minister of France. In the course of our conversation, I expressed to them our sincere attachment to France, and all its dominions, and most especially to them who were our neighbours, and whose interests had some common points of union with ours, in matters of commerce; that we wished, therefore, to render them every service they needed, but that we could not do it in any way disagreeable to France; that they must be sensible, that M. de Ternant might apprehend that jealousy would be excited by their addressing themselves directly to foreign powers, and therefore, that a concert with him in their applications to us, was essential. The subject of independence, and their views towards it, having been stated in the public papers, this led our conversation to it; and I must say, they appeared as far from these views as any persons on earth. I expressed to them, freely, my opinion that such an object was neither desirable on their part, nor attainable; that as to ourselves, there was one case which would be peculiarly alarming to us, to wit, were there a danger of their falling under any other power; that we conceived it to be strongly our interests that they should retain their connection with the mother country; that we had a common interest with them, in furnishing them the necessaries of life in exchange for sugar and coffee for our own consumption, but that I thought we might rely on the justice of the mother country towards them, for their obtaining this privilege: and on the whole, let them see that nothing was to be done, but with the consent of the minister of France. I am convinced myself, that their views and their application to us are perfectly innocent; however, M. de Ternant, and, still more, M. de la Forest, are jealous. The deputies, on the other hand, think that M. de Ternant is not sensible enough of their wants. They delivered me sealed letters to the President and to Congress. That to the President contained only a picture of their distresses, and application for relief. That to Congress, I know no otherwise than through the public papers. The Senate read it, and sent it to the Representatives, who read it, and have taken no other notice of it. The line of conduct I pursue, is, to persuade these gentlemen to be contented with such moderate supplies, from time to time, as will keep them from real distress, and to wait with patience for what would be a surplus, till M. de Ternant can receive instructions from France, which he has reason to expect within a few weeks; and I encourage the latter gentleman even to go beyond their absolute wants of the moment, so far as to keep them in good humour. He is accordingly proposing to lay out ten thousand dollars for them, for the present. It would be ridiculous, in the present case, to talk about forms: there are situations when form must be dispensed with. A man attacked by assassins will call for help to those nearest him, and will not think himself bound to silence till a magistrate may come to his aid. It would be unwise, in the highest degree, that the colonists should be disgusted with either France or us: for it then might be made to depend on the moderation of another power, whether what appears a chimera might not become a reality. I have thought it necessary to go thus fully into this transaction, and particularly as to the sentiments I have expressed to them, that you may be enabled to place our proceedings in their true light.

Our Indian expeditions have proved successful. As yet, however, they have not led to peace. Mr. Hammond has lately arrived here, as Minister Plenipotentiary from the court of London, and we propose to name one to that court in return. Congress will probably establish the ratio of representation by a bill now before them, at one representative for every thirty thousand inhabitants. Besides the newspapers, as usual, you will receive herewith the census lately taken, by towns and counties, as well as by states.

I am, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE ATTORNEY-GENERAL.

Philadelphia, Dec. 5, 1791.

DEAR SIR,

The inclosed memorial from the British minister, on the case of Thomas Pagan, containing a complaint of injustice in the dispensation of law by the courts of Massachusetts, to a British subject, the President approves of my referring it to you, to report thereon your opinion of the proceedings, and whether anything, and what, can or ought to be done by the government in consequence thereof.

I am, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

[The Memorial of the British Minister.]

The undersigned, his Britannic Majesty's Minister Plenipotentiary to the United States of America, has the honour of laying before the Secretary of State, the following brief abstract of the case of Thomas Pagan; a subject of his Britannic Majesty, now confined in the prison of Boston, under an execution issued against him out of the supreme judicial court of Massachusetts Bay. To this abstract, the undersigned has taken the liberty of annexing some observations which naturally arise out of the statement of the transaction, and which may perhaps tend to throw some small degree of light on the general merits of the case.

In the late war, Thomas Pagan was agent for, and part owner, of a privateer called the Industry, which, on the 25th of March, 1783, off Cape Ann, captured a brigantine called the Thomas, belonging to Mr. Stephen Hooper, of Newport. The brigantine and cargo were libelled in the court of vice-admiralty in Nova Scotia, and that court ordered the prize to be restored. An appeal was, however, moved for by the captors, and regularly prosecuted in England before the Lords of Appeals for prize causes, who, in February, 1790, reversed the decree of the vice-admiralty court of Nova Scotia, and condemned the brigantine and cargo as good and lawful prize.

In December, 1788, a judgment was obtained by Stephen Hooper in the court of common pleas for the county of Essex, in Massachusetts, against Thomas Pagan for three thousand five hundred pounds lawful money, for money had and received to the plaintiff's use. An appeal was brought thereon in May, 1789, to the supreme judicial court of the commonwealth of Massachusetts, held at Ipswich, for the county of Essex, and on the 16th of June, 1789, a verdict was found for Mr. Hooper, and damages were assessed at three thousand and nine pounds two shillings and ten pence, which sum is 'for the vessel called the brigantine Thomas, her cargo, and every article found on board.' After this verdict, and before entering the judgment, Mr. Pagan moved for a new trial, suggesting that the verdict was against law; because the merits of the case originated in a question, whether a certain brigantine called the Thomas, with her cargo, taken on the high seas by a private ship of war called the Industry, was prize or no prize, and that the court had no authority to give judgment in a cause, where the point of a resulting or implied promise arose upon a question of this sort. The supreme judicial court refused this motion for a new trial, because it appeared to the court, that in order to a legal decision it is not necessary to inquire whether this prize and her cargo were prize or no prize, and because the case did not, in their opinion, involve a question relative to any matter or thing necessarily consequent upon the capture thereof: it was, therefore, considered by the court, that Hooper should receive of Pagan three thousand and nine pounds two shillings and ten pence, lawful money, damages; and taxed costs, sixteen pounds two shillings and ten pence. From this judgment, Pagan claimed an appeal to the supreme judicial court of the United States of America, for these reasons; that the judgment was given in an action brought by Hooper, who is, and at the time of commencing the action was, a citizen of the commonwealth of Massachusetts, one of the United States, against Pagan, who, at the time when the action commenced, was, and ever since has been, a subject of the King of Great Britain, residing in and inhabiting his province of New Brunswick. This claim of an appeal was not allowed, because it was considered by the court, that this court was the supreme judicial court of the commonwealth of Massachusetts, from whose judgment there is no appeal; and further, because there does not exist any such court within the United States of America, as that to which Pagan has claimed an appeal from the judgment of this court. Thereupon, execution issued against Pagan on the 9th of October, 1789, and he has been confined in Boston prison ever since.

It is to be observed, that in August, 1789, Mr. Pagan petitioned the supreme judicial court of Massachusetts for a new trial, and after hearing the arguments of counsel, a new trial was refused. On the 1st of January, 1791, his Britannic Majesty's consul at Boston applied for redress on behalf of Mr. Pagan, to the Governor of Massachusetts Bay, who, in his letter of the 28th of January, 1791, was pleased to recommend this matter to the serious attention of the Senate and House of Representatives of that State. On the 14th of February, 1791, the British consul memorialized the Senate and House of Representatives on this subject. On the 22nd of February, a committee of both Houses reported a resolution, that the memorial of the consul and message from the Governor, with all the papers, be referred to the consideration of the justices of the supreme judicial court, who were directed, as far as may be, to examine into and consider the circumstances of the case, and if they found that by the force and effect allowed by the law of nations to foreign admiralty jurisdictions, &c., Hooper ought not to have recovered judgment against Pagan, the court was authorised to grant a review of the action. On the 13th of June, 1791, the British consul again represented to the Senate and House of Representatives, that the justices of the supreme judicial court had not been pleased to signify their decision on this subject, referred to them by the resolution of the 22nd of February. This representation was considered by a committee of the Senate and of the House of Representatives, who concluded that one of them should make inquiry of some of the judges to know their determination, and upon being informed that the judges intended to give their opinion, with their reasons, *in writing*, the committee would not proceed any further in the business. On the 27th of June, 1791, Mr. Pagan's counsel moved the justices of the supreme judicial court for their opinion in the case of Hooper and Pagan, referred to their consideration by the resolve of the general court, founded on the British consul's memorial. Chief Justice and Justice Dana being absent, Justice Paine delivered it as the unanimous opinion of the judges, absent as well as present, that Pagan was not entitled to a new trial for any of the causes mentioned in the said resolve, and added, 'that the court intended to put their opinions upon paper, and to file them in the cause: that the sickness of two of the court had hitherto prevented it, but that it would soon be done.'

It is somewhat remarkable, that the supreme judicial court of Massachusetts Bay should allege that this case did not necessarily involve a question relative to prize or no prize, when the very jury to whom the court referred the decision of the case established the fact; their verdict was for three thousand and nine pounds, two shillings and ten pence, damages, which sum is for the vessel called the brigantine Thomas, her cargo, and every thing found on board. Hence it is evident, that the case *did* involve a question of prize or no prize, and having received a formal decision by the only court competent to take cognizance thereof (viz. the high court of appeals for prize causes in England), every thing that at all related to the property in question, or to the legality of the capture, was thereby finally determined. The legality of the capture being confirmed by the high court of appeals in England, cannot, consistently with the principles of the law of nations, be discussed in a foreign court of law, or at least, if a foreign court of common law is, by any local regulations, deemed competent to interfere in matters relating to captures, the decisions of admiralty courts, or courts of appeal, should be received and taken as conclusive evidence of the legality or illegality of captures. By such decisions, property is either adjudged to the captors or restored to the owners; if adjudged to the captors, they obtain a permanent property in the captured goods acquired by the rights of war: and this principle originates in the wisdom of nations, and is calculated to prevent endless litigation.

The proceedings of the supreme judicial court of Massachusetts Bay are in direct violation of the rules and usages that have been universally practised among nations in the determination of the validity of captures, and of all collateral questions that may have reference thereto. The general court of Massachusetts Bay, among other things, kept this point in view, when they referred the case of Mr. Pagan to the consideration of the justices of the supreme judicial court, and authorised the court to grant a review of the action, if it should be found that, by the force and effect allowed by the law of nations to foreign admiralty jurisdictions, Mr. Hooper ought not to have recovered judgment against Mr. Pagan. But the supreme judicial court have not only evaded this material consideration, upon which the whole question incontestibly turns, but have assumed a fact in direct contradiction to the truth of the case, viz. that the case did not involve a question of prize or no prize. Moreover they have denied Mr. Pagan the benefit of appeal to that court which is competent to decide on the force of treaties, and which court, by the constitution of the United States, is declared to possess *appellate* jurisdiction, both as to law and fact, inall cases of controversy between citizens of the United States and subjects of foreign countries, to which class this case is peculiarly and strictly to be referred.

From the foregoing abstract of the case of Thomas Pagan, it appears that he is now detained in prison, in Boston, in consequence of a judgment given by a court which is not competent to decide upon his case, or which, if competent, refused to admit the only evidence that ought to have given jurisdiction, and that he is denied the means of appealing to the highest court of judicature known in these States, which exists in the very organization of the constitution of the United States, and is declared to possess appellate jurisdiction in all cases of a nature similar to this.

For these reasons, the undersigned begs leave respectfully to submit the whole matter to the consideration of the Secretary of State, and to request him to take such measures as may appear to him the best adapted for the purpose of obtaining for the said Thomas Pagan such speedy and effectual redress as his case may seem to require.

GEORGE HAMMOND.

Philadelphia, November 26, 1791.

TO MR. HAMMOND, Minister Plenipotentiary of Great Britain.

Philadelphia, December 5, 1791.

Sir,

Your favour of November the 30th remains still unanswered, because the clerks are employed in copying some documents on the subject of the treaty of peace, which I wish to exhibit to you with the answer.

In the mean time, as to that part of your letter which respects matters of commerce, the fear of misunderstanding it induces me to mention my sense of it, and to ask if it be right. Where you are pleased to say, that 'you are authorised to communicate to this government his Majesty's readiness to enter into a negotiation for establishing that intercourse, (of commerce) upon principles of reciprocal benefit,' I understand that you are not furnished with any commission or express powers to arrange a treaty with us, or to make any specific propositions on the subject of commerce; but only to assure us that his Britannic Majesty is ready to concur with us, in appointing persons, times, and places for commencing such a negotiation. Be so good as to inform me if there be any misapprehension in this, as some steps on our part may be necessary in consequence of it.

I have the honour to be, with the most perfect esteem,

Sir,

Your most obedient and most humble servant,

Th. Jefferson.

TO MR. HAMMOND.

Philadelphia, December 12, 1791.

Sir,

I take the liberty of inclosing you an extract of a letter from a respectable character, giving information of a Mr. Bowles, lately come from England into the Creek country, endeavouring to excite that nation of Indians to war against the United States, and pretending to be employed by the government of England. We have other testimony of these his pretensions, and that he carries them much farther than is here stated. We have too much confidence in the justice and wisdom of the British government, to believe they can approve of the proceedings of this incendiary and impostor, or countenance for a moment a person who takes the liberty of using their name for such a purpose; and I make the communication, merely that you may take that notice of the case which in your opinion shall be proper.

I have the honour to be, with great and sincere esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, December 13, 1791.

SIR,

I have laid before the President of the United States, the letters of November the 30th, and December the 6th, with which you honoured me, and in consequence thereof, and particularly of that part of your letter of December the 6th, where you say that you are fully authorised to enter into a negotiation for the purpose of arranging the commercial intercourse between the two countries, I have the honour to inform you, that I am ready to receive a communication of your full powers for that purpose, at any time you shall think proper, and to proceed immediately to their object.

I have the honour to be,
With sentiments of the most perfect esteem and respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE PRESIDENT.

Philadelphia, December 23, 1791.

SIR,

As the conditions of our commerce with the French and British dominions are important, and a moment seems to be approaching when it may be useful that both should be accurately understood, I have thrown a representation of them into the form of a table, shewing at one view how the principal articles interesting to our agriculture and navigation, stand in the European and American dominions of these two powers.

As to so much of it as respects France, I have cited under every article the law on which it depends; which laws, from 1784 downwards, are in my possession.

Port charges are so different, according to the size of the vessel and the dexterity of the captain, that an examination of a greater number of port bills might, perhaps, produce a different result. I can only say, that that expressed in the table is fairly drawn from such bills as I could readily get access to, and that I have no reason to suppose it varies much from the truth, nor on which side the variation would lie. Still, I cannot make myself responsible for this article. The authorities cited will vouch the rest.

I have the honour to be,
With the most perfect respect and attachment,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

Footing of the Commerce of the United States with France and England, and with the French and English American Colonies.

	FRANCE.	GREAT BRITAIN & IRELAND.
Wheat, flour, &c.	(a) Free.	Prohibited till it is 6s. 4d. the bushel.
Rice.	(a) Free.	7s. 4d. sterling the kental.
Salted fish.	(b) 8 livres the kental.	Prohibited.
Salted beef.	(c) 5 livres the kental.	Prohibited.
Salted pork.	(d) 5 livres kental in some ports. Prohibited in others.	44s. 9d. the kental.
Furs.	(a) Free.	15 to 20 per cent.
Indigo.	(c) 5 livres the kental.	Free.
Whale oil.	(a) 7 livres and 10 sous the barrel of 520 lbs.	£18 3s. the ton.
Tar, pitch, turpentine.	(a) 2 1-2 per cent. 5 sous the kental, by new tariff.	11d. 11s. 2s. 3d. B.
Ships.	a Free for naturalization.	Prohibited naturalization.
(b) Port charges.	cents. average. Bordeaux, 23 the ton. Havre; 14 the ton. } 18	average. London, 76 Liverpool, 61 Bristol, 1,43 Hull, 1,57 } 1.09 dols.
(f) Exports to.	1,384,246 D.	(k) 6,888,970 D.
(f) Imports from.	155,136 D.	1,3965,464 D.
(f) Freighted in *their* vessels.	9,842 tons.	119,194 tons.
(f) Freighted in *our* vessels.	19,173 tons.	39,171 tons.

	FRENCH AMERICA.	ENGLISH AMERICA.
Wheat, flour, &c.	(g) Prohibited by a general law. Free, by suspensions from time to time.	Free, by proclamation.
Rice.	(c) 1 per cent.	Free, by proclamation.
Salted fish.	(h) 1 per cent. X 3 livres kental.	Prohibited.
Salted beef.	(e) 1 per cent. X 3 livres kental.	Prohibited.
Port charges.	Cape Franc, .96 Port au Prince, .40 Martinique, .18 } average. .55	Jamaica, .76 Antigua, .22 Barbadoes, .42 St. Kitts, .43 Dominique, .21 } average, .44
Exports to.	3,284,656. D.	2,357,583. D.
Imports from.	1,913,212. D.	1,319,964. D.
Freighted in *their* vessels.	3,959 tons.	107,759 tons.
Freighted in *our* vessels.	97,236 tons.	Prohibited.

The following articles being on an equal footing in both countries, are thrown together.

	FRANCE.	GREAT BRITAIN & IRELAND.
Tobacco,	Free of duty, but under monopoly.	1s. 3d. the lb.
Wood,	(a) Free.	Free.
Pot and pearl ash.	(a) Free.	Free.
Flaxseed,	(a) Free.	Free.
	FRENCH AMERICA.	ENGLISH AMERICA.
Corn, Indian.	(c) 1 per cent.	Free, by proclamation.
Wood,	(c) 1 per cent.	Free, by proclamation
Salted pork,	(c) Prohibited.	Prohibited.
Horses and mules,	(c) Free.	Free, by proclamation
Live provisions.	(c) 1 per cent.	Free, by proclamation.
Tar, pitch, turpentine.	(c) 1 per cent.	Free, by proclamation.
Imports allowed.	Rum, molasses generally, sugar, and all other commodities, till August 1, 1794.	Rum, molasses, sugar, coffee, cocoa nuts, ginger, pimento, by proclamation.

NOTES.

(a) By *Arrêt* of December the 29th, 1787. (b) By *Arrêt* of 1763.
(c) By *Arrêt* of August the 30th, 1784. (d) By *Arrêt* of 1688.
(e) By *Arrêt* of 1769. (*f*) Taken from the Custom House returns of the United States.

(g) There is a general law of France prohibiting foreign flour in their islands, with a suspending power to their Governors, in cases of necessity. An *Arrêt* of May the 9th, 1789, by their Governor, makes it free till August, 1794: and in fact it is generally free there.

(h) The *Arrêt* of September the 18th, 1785, gave a premium of ten livres the kental, on fish brought in their own bottoms, for five years, so that the law expired September the 18th, 1790. Another *Arrêt*, passed a week after, laid a duty of five livres the kental, on fish brought in foreign vessels, to raise money for the premium before mentioned. The last *Arrêt* was not limited in time; yet seems to be understood as only commensurate with the other. Accordingly, an *Arrêt* of May the 9th, 1789, has made fish in foreign bottoms liable to three livres the kental only till August the 1st, 1794.

(i) The port charges are estimated from bills collected from the merchants of Philadelphia. They are different in different ports of the same country, and different in the same ports on vessels of different sizes. Where I had several bills of the same port, I averaged them together. The dollar is rated at 4s. 4½d. sterling in England, at 6s. 8d. in the British West Indies, and five livres twelve sous in France, and at eight livres five sous in the French West Indies.

Several articles stated to be *free* in France, do in fact pay one-eighth of a per cent., which was retained merely to oblige an entry to be made in their Custom House books. In like manner, several of the articles stated to be *free* in England, do in fact pay a light duty. The English duties are taken from the book of rates.

		Dollars.
(k) The exports to Great Britain and Ireland, are		6,888,978 50
How much they consume, I know not. They certainly re-export the following:	Dollars.	
Grain, the whole since the law of the last parliament, ...	1,093,985	
Tobacco, five sixths, according to Sheffield's tables, ...	2,295,411	
Rice, five sevenths, according to the same, ...	552,750	
Indigo, one third, according to the same, ...	315,467	
Furs, probably one half, ...	17,950	
Ginseng, the whole, ...	32,421	
Mahogany, } not being of our productions should	16,721	
Wine, } also be deducted, ...	4,125	
		4,329,456
Remainder, including their consumption and the unknown re-exportations,		2,559,522

The exportations certainly known, then, are five eighths of the whole.

TO THE PRESIDENT.

Philadelphia, January 4, 1792.

SIR,

Having been in conversation to-day with Monsieur Payan, one of the St. Domingo deputies, I took occasion to inquire of him the footing on which our commerce there stands at present, and particularly whether the colonial *Arrêt* of 1789, permitting a free importation of our flour till 1793, was still in force. He answered, that that *Arrêt* was revoked in France on the clamours of the merchants there; and with a like permission to carry flour to the three usual ports, and he thinks to bring away coffee and sugar, was immediately renewed by the Governor. Whether this has been regularly kept up by renewed *Arrêts*, during the present troubles, he cannot say, but is sure that in practice it has never been discontinued, and that not by contraband, but openly and legally, as is understood. The public application to us to send flour there, is a proof of it. Instead, therefore, of resting this permission on a colonial *Arrêt* till 1793, it should be rested on temporary *Arrêts* renewed from time to time, as heretofore. This correction of the notes I took the liberty of laying before you, with the table containing a comparative view of our commerce with France and England, I thought it my duty to make.

I have the honour to be,
With the most perfect respect and attachment,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THOMAS PINCKNEY.

Philadelphia, January 17, 1792.

SIR,

Your favours of November the 29th, 30th, and December the 1st, came duly to hand, and gave sincere pleasure, by announcing your disposition to accept the appointment to London. The nominations to Paris and the Hague having been detained till yours could be made, they were all immediately sent in to the Senate, to wit, yourself for London, Mr. G. Morris for Paris, Mr. Short for the Hague. Some members of the Senate, apprehending they had a right of determining on the *expediency* of foreign missions, as well as on the *persons* named, took that occasion of bringing forward the discussion of that question, by which the nominations were delayed two or three weeks. I am happy to be able to assure you, that not a single personal motive with respect to yourself entered into the objections to these appointments. On the contrary, I believe that your nomination gave general satisfaction. Your commission will be immediately made out, but as the opportunities of conveyance at this season are precarious, and you propose coming to this place, I think it better to retain it.

As to the delay proposed in your letter, it was to be expected: indeed, a winter passage from Charleston to this place, or across the Atlantic, is so disagreeable, that if either that circumstance or the arrangement of your affairs should render it in the smallest degree eligible to you to remain at home till the temperate season comes on, stay till after the vernal equinox; there will be no inconvenience to the public attending it. On the contrary, as we are just opening certain negotiations with the British minister here, which have not yet assumed any determinate complexion, a delay till that time will enable us to form some judgment of the issue they may take, and to know exactly in what way your co-operation at the place of your destination, may aid us. On this and other accounts, it will be highly useful that you take this place in your way, where, or at New York, you will always be sure of finding a convenient passage to England.

I have the honour to be,
With the most perfect esteem and respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MESSRS. WILLINKS, VAN STAPHORSTS, AND HUBARD.

Philadelphia, January 23, 1792.

GENTLEMEN,

On the 19th of March last, I had the honour to inclose you a bill for ninety-nine thousand florins, drawn on yourselves by the Treasurer of the United States, in favour of the Secretary of State, and I desired you to raise an account with the Secretary of State, and pass that bill to his credit in the account. In my letter of May the 14th, I inclosed you a duplicate of the same bill, and informed you that this money was destined to pay the salaries and contingent expenses of our ministers and agents of every description, from July the 1st, 1790, and nothing else; and I added these words: 'I must beg the favour of you, also, to make up your account to the close of the last day of June, this present year, into which no expenses are to enter which preceded the 1st day of July, 1790, these being the dates of the appropriation of the law.' And lastly, in my letter of August the 5th, I enclosed a triplicate of the same bill, and added, 'In the mean time, I hope that your account of this fund, from July the 1st, 1790, to June the 30th, 1791, inclusive, is on its way to me, that I may receive it in time to lay before Congress at their meeting;' but, in fact, I have neither received the account so much desired, nor even an acknowledgment of the receipt of any of the said letters or bills; and though Congress have been now sitting upwards of three months, I have it not in my power to lay before them a statement of the administration of this fund. When you consider the delicate situation of those entrusted with the disposal of public monies, and the express injunction under which I am laid by my office to submit this account to a proper and timely examination, I leave you to conceive what my sensations must be under the disability to do it, which the want of your account alone has brought on me; and I hope I shall soon be relieved by the receipt of it.

* * * * *

I am, with great esteem,
Gentlemen,
Your most obedient servant,
Th. Jefferson.

TO WILLIAM SHORT.

Philadelphia, January 23, 1792.

Dear Sir,

I have the pleasure to inform you that the President of the United States has appointed you minister resident for the United States, at the Hague, which was approved by the Senate on the 16th instant. This new mark of the President's confidence will be the more pleasing to you, as it imports an approbation of your former conduct, whereon be pleased to accept my congratulations. You will receive herewith a letter from myself to Monsieur de Montmorin, closing your former mission, your new commission, letters of credence from the President for the States-General and Stadtholder, sealed, and copies of them open for your own satisfaction. You will keep the cypher we have heretofore used.

Your past experience in the same line renders it unnecessary for me to particularize your duties on closing your present, or conducting your future mission. Harmony with our friends being our object, you are sensible how much it will be promoted by attention to the manner, as well as the matter, of your communications with the government of the United Netherlands. I feel myself particularly bound to recommend, as the most important of your charges, the patronage of our commerce and the extension of its privileges, both in the United Netherlands and their colonies, but most especially the latter.

The allowance to a minister resident of the United States is four thousand five hundred dollars a-year, *for all his personal services and other expenses*, a year's salary for his outfit, and a quarter's salary for his return. It is understood that *the personal services and other expenses* here meant, do not extend to the cost of gazettes and pamphlets transmitted to the Secretary of State's office, to translating or printing necessary papers, postage, couriers, and necessary aids to poor American sailors. These additional charges, therefore, may be inserted in your accounts; but no other of any description, unless where they are expressly directed to be incurred. The salary of your new grade being the same as of your former one, and your services continued, though the scene of them is changed, there will be no intermission of salary; the new one beginning where the former ends, and ending when you shall receive notice of your permission to return. For the same reason, there can be but one allowance of outfit and return, the former to take place now, the latter only on your final return. The funds appropriated to the support of the foreign establishment do not admit the allowance of a secretary to a minister resident. I have thought it best to state these things to you minutely, that you may be relieved from all doubt as to the matter of your accounts. I will beg leave to add a most earnest request, that on the 1st day of July next, and on the same day annually afterwards, you make out your account to that day, and send it by the first vessel, and by duplicates. In this I must be very urgent and particular, because at the meeting of the ensuing Congress always, it is expected that I prepare for them a statement of the disbursements from this fund, from July to June inclusive. I shall give orders, by the first opportunity, to our bankers in Amsterdam to answer your drafts for the allowances hereinbefore mentioned, recruiting them, at the same time, by an adequate remitment, as I expect that by the time you receive this, they will not have remaining on hand of this fund more than seven or eight thousand dollars.

You shall receive from me, from time to time, the laws and journals of Congress, gazettes, and other interesting papers; for whatever information is in possession of the public, I shall leave you generally to the gazettes, and only undertake to communicate by letter, such, relative to the business of your mission, as the gazetteers cannot give. From you I shall ask, once or twice a month, regularly, a communication of interesting occurrences in Holland, of the general affairs of Europe, and the regular transmission of the Leyden gazette by every British packet, in the way it now comes, which proves to be very regular. Send also such other publications as may be important enough to be read by one who can spare little time to read any thing, or which may contain matter proper to be turned to, on interesting subjects and occasions. The English packet is the most certain channel for such epistolary communications as are not very secret, and by those packets I would wish always to receive a letter from you, by way of corrective to the farrago of news they generally bring. Intermediate letters, secret communications, gazettes, and other printed papers, had better come by private vessels from Amsterdam; which channel I shall use generally for my letters, and always for gazettes and other printed papers.

The President has also joined you in a special and temporary commission with Mr. Carmichael to repair to Madrid, and there negociate certain matters respecting the navigation of the Mississippi, and other points of common interest between Spain and us. As some time will be necessary to make out the instructions and transcripts necessary in this business, they can only be forwarded by some future occasion; but they shall be soon forwarded, as we wish not to lose a moment in advancing negotiations so essential to our peace. For this reason, I must urge you to repair to the Hague at the earliest day the settlement of your affairs at Paris will admit, that your reception may be over, and the idea of your being established there strengthened, before you receive the new orders.

I have the honour to be, with sincere respect and esteem,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, January 23, 1792.

Dear Sir,

I have the pleasure to inform you, that the President of the United States has appointed you Minister Plenipotentiary for the United States, at the Court of France, which was approved by the Senate on the 12th instant; on which be pleased to accept my congratulations. You will receive herewith your commission, a letter of credence for the King, sealed, and a copy of it open for your own satisfaction, as also a cypher, to be used on proper occasions in the correspondence between us.

To you, it would be more than unnecessary for me to undertake a general delineation of the functions of the office to which you are appointed. I shall therefore only express our desire, that they be constantly exercised in that spirit of sincere friendship and attachment which we bear to the French nation; and that in all transactions with the minister, his good dispositions be conciliated by whatever, in language or attentions, may tend to that effect. With respect to their government, we are under no call to express opinions which might please or offend any party, and therefore it will be best to avoid them, on all occasions, public or private. Could any circumstances require unavoidably such expressions, they would naturally be in conformity with the sentiments of the great mass of our countrymen, who, having first, in modern times, taken the ground of government founded on the will of the people, cannot but be delighted on seeing so distinguished and so esteemed a nation arrive on the same ground, and plant their standard by our side.

I feel myself particularly bound to recommend, as the most important of your charges, the patronage of our commerce, and the extension of its privileges, both in France and her colonies, but most especially the latter. Our consuls in France are under general instructions to correspond with the minister of the United States at Paris; from them you may often receive interesting information. Joseph Fenwick is consul at Bordeaux, and Burwell Carnes at Nantz; Monsieur de la Motte vice-consul at Havre, and Monsieur Cathalan at Marseilles.

An act of Congress, of July the 1st, 1790, has limited the allowance of a Minister Plenipotentiary to nine thousand dollars a-year, *for all his personal services and other expenses*, a year's salary for his outfit, and a quarter's salary for his return. It is understood that *the personal services and other expenses* here meant, do not extend to the cost of gazettes and pamphlets transmitted to the Secretary of State's office, to translating or printing necessary papers, postage, couriers, and necessary aids to poor American sailors. These additional charges, therefore, may be inserted in your accounts; but no other of any description, unless where they are expressly directed to be incurred. By an ancient rule of Congress, your salary will commence from the day you receive this letter, if you be then at Paris, or from the day you set out for Paris from any other place at which it may find you: it ceases on receiving notice or permission to return, after which the additional quarter's allowance takes place. You are free to name your own private secretary, who will receive from the public a salary of thirteen hundred and fifty dollars a year, without allowance for any *extras*. I have thought it best to state these things to you minutely, that you may be relieved from all doubt as to the matter of your accounts. I will beg leave to add a most earnest request, that on the 1st day of July next, and on the same day annually afterwards, you make out your account to that day, and send it by the first vessel, and by duplicates. In this I must be very urgent and particular, because at the meeting of the ensuing Congress always, it is expected that I prepare for them a statement of the disbursements from this fund, from July to June inclusive. I shall give orders, by the first opportunity, to our bankers in Amsterdam, to answer your drafts for the allowances herein before mentioned, recruiting them at the same time by an adequate remitment, as I expect that by the time you receive this, they will not have remaining on hand of this fund more than seven or eight thousand dollars.

You shall receive from me, from time to time, the laws and journals of Congress, gazettes and other interesting papers: for whatever information is in possession of the public, I shall leave you generally to the gazettes, and only undertake to communicate by letter, such, relative to the business of your mission, as the gazettes cannot give.

From you I shall ask, once or twice a month regularly, a communication of interesting occurrences in France, of the general affairs of Europe, and transmission of the Leyden gazette, the *journal logographe*, and the best paper of Paris for their colonial affairs, with such other publications as may be important enough to be read by one who can spare little time to read any thing, or which may contain matter proper to be turned to, on interesting subjects and occasions. The English packet is the most certain channel for such epistolary communications as are not very secret, and by those packets I would wish always to receive a letter from you, by way of corrective to the farrago of news they generally bring. Intermediate letters, secret communications, gazettes, and other printed papers, had better come through the channel of Monsieur de la Motte, at Havre, to whom I shall also generally address my letters to you, and always the gazettes, and other printed papers.

Mr. Short will receive by the same conveyance, his appointment as minister resident at the Hague.

I have the honour to be, with great esteem and respect,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, February 2, 1792.

SIR,

On the receipt of your letter of the 14th of December, I communicated it to the President of the United States, and, under the sanction of his authority, the principal members of the executive department made it their duty to make known in conversations generally, the explicit disclaimer, in the name of your court, which you had been pleased to give us, that the government of Canada had supported or encouraged the hostilities of our Indian neighbours in the western country. Your favour of January the 30th, to the same purpose, has been, in like manner, communicated to the President, and I am authorized to assure you, that he is duly sensible of this additional proof of the disposition of the court of London, to confine the proceedings of their officers in our vicinage within the limits of friendship and good neighbourhood, and that a conduct so friendly and just, will furnish us a motive the more for those duties and good offices which neighbour nations owe each other.

You have seen too much, Sir, of the conduct of the press in countries where it is free, to consider the gazettes as evidence of the sentiments of any part of the government: you have seen them bestow on the government itself, in all its parts, its full share of inculpation. Of the sentiments of our government on the subject of your letter, I cannot give you better evidence than the statement of the causes of the Indian war, made by the Secretary of War on the 26th of the last month, by order of the President, and inserted in the public papers. No interference on the part of your nation is therein stated among the causes of the war. I am happy, however, in the hope, that a due execution of the treaty will shortly silence those expressions of public feeling by removing their cause.

I have the honour to be, with great respect and esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, February 25, 1792.

SIR,

I have now the honour to inclose you the answer of the Attorney General to a letter I wrote him on the subject of yours of the 18th instant.

It appears that the judges of the Supreme Court of the United States are open to the application of Mr. Pagan for a writ of error to revise his case. This writ is to be granted, indeed, or refused, at the discretion of the judge; but the discretion of a judge is governed by the rules of law: if these be in favour of Mr. Pagan's application, his case will be reviewed in the Supreme Court, and the decision against him corrected, if wrong; if these be against his application, he will then be at the end of the ordinary course of law, at which term alone it is usual for nations to take up the cause of an individual, and to inquire whether their judges have refused him justice. At present, therefore, I am not able to say more, than that the judges of the Supreme Court of the United States will receive Mr. Pagan's application for a writ of error to revise the judgment given against him by the inferior court, and that there can be no doubt they will do on that application what shall be right.

I have the honour to be, with the highest esteem, your most obedient and most humble servant,

TH. JEFFERSON.

TO MESSRS. JOHNSON, CARROL AND STEWART.

Philadelphia, March 6, 1792.

GENTLEMEN,

It having been found impracticable to employ Major L'Enfant about the federal city, in that degree of subordination which was lawful and proper, he has been notified that his services are at an end. It is now proper that he should receive the reward of his past services; and the wish that he should have no just cause of discontent, suggests that it should be liberal. The President thinks of two thousand five hundred, or three thousand dollars; but leaves the determination to you. Ellicot is to go on, the week after next, to finish laying off the plan on the ground, and surveying and platting the district. I have remonstrated with him on the excess of five dollars a day and his expenses, and he has proposed striking off the latter; but this also is left to you, and to make the allowance retrospective. He is fully apprised that he is entirely under your orders, and that there will be no person employed but under your orders. The enemies of this enterprise will take advantage of the retirement of L'Enfant, to trumpet an abortion of the whole. This will require double exertions, to be counteracted. I enclose you the project of a loan which is agreed on, if you approve it. Your answer will be immediately expected, and it is kept entirely secret, till the subscriptions are actually opened. With this money, in aid of your other funds, the works may be pushed with such spirit as to evince to the world that they will not be relaxed.

The immediate employment of a superintendant, of activity and intelligence equal to the nature of his functions and the public expectations, becomes important. You will, doubtless, also consider it as necessary to advertise immediately for plans of the Capitol and President's house. The sketch of an advertisement for the plan of a Capitol, which Mr. Johnson had sent to the President, is now returned with some alterations, and one also for a President's house. Both of them are subject to your pleasure, and when accommodated to that, if you will return them, they shall be advertised here and elsewhere. The President thinks it of primary importance to press the providing as great quantities of brick, stone, lime, plank, timber, &c. this year as possible. It will occur to you that the stone should be got by a skilful hand. Knowing what will be your funds, you will be able to decide which of the following works had better be undertaken for the present year:—

The cellars of both houses.
The foundation of one, or both.
Bridge over Rock Creek, and the post road brought over it.
Canal.
Wharves.

The affair of Mr. Carrol of Duddington's house, seems to call for settlement. The President thinks the most just course would be, to rebuild the house in the same degree, using the same materials as far as they will go, and supplying what are destroyed or rendered unfit; so that the effect will be, in fact, only the removal of the house within his lot, and in a position square with the streets. Do you not think it would be expedient to take measures for importing a number of Germans and Highlanders? This need not be to such an extent as to prevent the employment of eastern labourers, which is eligible for particular reasons. If you approve of the importation of Germans, and have a good channel for it, you will use it, of course. If you have no channel, I can help you to one. Though Roberdeau's conduct has been really blameable, yet we suppose the principal object of the arrest was to remove him off the ground. As the prosecution of him to judgment might give room to misrepresentation of the motives, perhaps you may think it not amiss to discontinue the proceedings. You will receive herewith a packet of papers, among which are several projects and estimates which have been given in by different persons, and which are handed on to you, not as by any means carrying with them any degree of approbation, but merely, that if you find any thing good in them, you may convert it to some account. Some of these contain the views of L'Enfant.

I have the honour to be, with the most perfect esteem and respect,

Gentlemen,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, March 10, 1792.

Dear Sir,

My letter of January the 23rd, put under cover to Mr. Johnson in London, and sent by a passenger in the British packet of February, will have conveyed to you your appointment as Minister Plenipotentiary of the United States, at the court of France. By the Pennsylvania, Captain Harding, bound to Havre de Grace, and plying pretty regularly between this place and that, you will receive the present letter, with the laws of the United States, journals of Congress, and gazettes to this day, addressed to the care of M. de la Motte. You will also receive a letter from the President to the King of France, in answer to his announcing the acceptance of the constitution, which came to hand only a week ago. A copy of this letter is sent for your own use. You will be pleased to deliver the sealed one (to the minister, I presume, according to the antient etiquette of the court,) accompanying it with the assurances of friendship which the occasion may permit you to express, and which are cordially felt by the President and the great body of our nation. We wish no occasion to be omitted of impressing the National Assembly with this truth. We had expected, ere this, that in consequence of the recommendation of their predecessors, some overtures would have been made to us on the subject of a treaty of commerce. An authentic copy of the recommendation was delivered, but nothing said about carrying it into effect. Perhaps they expect that we should declare our readiness to meet them on the ground of treaty. If they do, we have no hesitation to declare it. In the mean time, if the present communications produce any sensation, perhaps it may furnish a good occasion to endeavour to have matters replaced *in statu quo,* by repealing the late innovations as to our ships, tobacco, and whale oil. It is right that things should be on their antient footing, at opening the treaty. M. Ternant has applied here for four hundred thousand dollars for the succour of the French colonies. The Secretary of the Treasury has reason to believe, that the late loan at Antwerp has paid up all our arrearages to France, both of principal and interest, and consequently, that there is no part of our debt exigible at this time. However, the legislature having authorized the President to proceed in borrowing to pay off the residue, provided it can be done to the *advantage* of the United States, it is thought the law will be satisfied with *avoiding loss* to the United States. This has obliged the Secretary of the Treasury to require some conditions, which may remove from us that loss which we encountered, from an unfavourable exchange, to pay what was *exigible*, and transfer it to France as to payments not exigible. These shall be fully detailed to you when settled. In the mean time, the money will be furnished as far as it can be done. Indeed, our wishes are cordial for the re-establishment of peace and commerce in those colonies, and to give such proofs of our good faith, both to them and the mother country, as to suppress all that jealousy which might oppose itself to the free exchange of our *mutual productions*, so essential to the prosperity of those colonies, and to the preservation of *our agricultural* interest. This is our true interest and our true object, and we have no reason to conceal views so justifiable, though the expression of them may require that the occasions be proper, and the terms chosen with delicacy. The gazettes will inform you of the proceedings of Congress, the laws passed and proposed, and, generally speaking, of all public transactions. You will perceive that the Indian war calls for sensible exertions. It would have been a trifle had we only avowed enemies to contend with. The British court have disavowed all aid to the Indians. Whatever may have been their orders in that direction, the Indians are fully and notoriously supplied by their agents with every thing necessary to carry on the war. Time will shew how all this is to end. Besides the laws, journals, and newspapers, before mentioned, you will receive herewith the state constitutions, the census and almanac, and an answer to Lord Sheffield on our commerce. A cypher is ready for you, but cannot be sent till we can find a trusty passenger going to Paris.

I am, with great respect and esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

Since writing the preceding, the two Houses have come to resolutions on the King's letter, which are inclosed in the President's, and copies of them accompany this for your use.
T. J.

TO MESSRS. CARMICHAEL AND SHORT.

Philadelphia, March 18, 1792.

GENTLEMEN,

The President having thought proper to appoint you joint commissioners plenipotentiary, on the part of the United States, to treat with the court of Madrid on the subjects of the navigation of the Mississippi, arrangements on our limits and commerce, you will herewith receive your commission; as also observations on these several subjects, reported to the President and approved by him, which will therefore serve as instructions for you. These expressing minutely the sense of our government, and what they wish to have done, it is unnecessary for me to do more here than desire you to pursue these objects unremittingly, and endeavour to bring them to an issue, in the course of the ensuing summer. It is desirable that you should keep an exact journal of what shall pass between yourselves and the court or their negociator, and communicate it from time to time to me, that your progress and prospects may be known. You will be the best judges whether to send your letters by Lisbon, Cadiz, or what other route; but we shall be anxious to hear from you as often as possible. If no safe conveyance occurs from Madrid to Lisbon, and your matter should be of importance sufficient to justify the expense, a courier must be sent; but do not incur the expense unless it be to answer some good end.

I have the honour to be, with great and sincere esteem,
Gentlemen,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO COLONEL PICKERING.

Philadelphia, March 28, 1792.

SIR,

The President has desired me to confer with you on the proposition I made the other day, of endeavouring to move the posts at the rate of one hundred miles a-day. It is believed to be practicable here, because it is practised in every other country. The difference of expense alone appeared to produce doubts with you on the subject. If you have no engagement for dinner to day, and will do me the favour to come and dine with me, we will be entirely alone, and it will give us time to go over the matter and weigh it thoroughly. I will, in that case, ask the favour of you to furnish yourself with such notes as may ascertain the present expense of the posts, for one day in the week, to Boston and Richmond, and enable us to calculate the savings which may be made by availing ourselves of the stages. Be pleased to observe that the stages travel all the day. There seems nothing necessary for us, then, but to hand the mail along through the night till it may fall in with another stage the next day, if motives of economy should oblige us to be thus attentive to small savings. If a little latitude of expense can be allowed, I should be for only using the stages the first day, and then have our riders. I am anxious that the thing should be begun by way of experiment, for a short distance, because I believe it will so increase the income of the post-office as to shew we may go through with it. I shall hope to see you at three o'clock.

I am, with great esteem,
Sir,
Your most obedient humble servant,
Th. Jefferson.

TO MR. HAMMOND.

Philadelphia, March 31, 1792.

Sir,

I received yesterday your favour of the day before, and immediately laid it before the President of the United States. I have it in charge from him to express to you the perfect satisfaction which these assurances on the part of your court has given him, that Bowles, who is the subject of them, is an unauthorized impostor. The promptitude of their disavowal of what their candour had forbidden him to credit, is a new proof of their friendly dispositions, and a fresh incitement to us to cherish corresponding sentiments. To these we are led both by interest and inclination; and I am authorized to assure you, that no occasion will be omitted on our part of manifesting their sincerity.

I have the honour to be, with sentiments of the most perfect esteem and respect,
Sir,
Your most obedient and most humble servant,
Th. Jefferson.

TO GOVERNOR PINCKNEY.

Philadelphia, April 1, 1792.

SIR,

Your letter of January the 8th to the President of the United States having been referred to me, I have given the subject of it as mature consideration as I am able. Two neighbouring and free governments, with laws equally mild and just, would find no difficulty in forming a convention for the interchange of fugitive criminals; nor would two neighbouring despotic governments, with laws of equal severity. The latter wish that no door should be opened to their subjects flying from the oppression of their laws. The fact is, that most of the governments on the continent of Europe have such conventions; but England, the only free one till lately, has never yet consented either to enter into a convention for this purpose, or to give up a fugitive. The difficulty between a free government and a despotic one, is indeed great. I have the honour to inclose to your Excellency a sketch of the considerations which occurred to me on the subject, and which I laid before the President. He has, in consequence, instructed me to prepare a project of a convention to be proposed to the court of Madrid, which I have accordingly done, and now inclose a copy of it. I wish it may appear to you satisfactory. Against property we may hope it would be effectual, whilst it leaves a door open to life and liberty, except in a single unquestionable case. Messrs. Carmichael and Short will be instructed to make this one of the subjects of their negotiation with the court of Spain.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Your Excellency's
Most obedient and most humble servant,
TH. JEFFERSON.

TO COLONEL HUMPHREYS.

Philadelphia, April 9, 1792.

DEAR SIR,

My last to you were of the 29th of November, and the 13th of December. I have now to acknowledge the receipt of your Nos. 34 to 44, inclusive. The river here and at New York having remained longer blocked with ice than has been usual, has occasioned a longer interval than usual between my letters. I have particularly to acknowledge that Mr. Barclay's receipt of drafts from you on our bankers in Holland for thirty-two thousand one hundred and seventy-five florins has come safely to my hands, and is deposited in my office, where it will be to be found wrapped in the letter in which it came. You have been before informed of the failure of our arms against the Indians the last year. General St. Clair has now resigned that command. We are raising our western force to five thousand men. The stock-jobbing speculations have occupied some of our countrymen to such a degree, as to give sincere uneasiness to those who would rather see their capitals employed in commerce, manufactures, buildings, and agriculture. The failure of Mr. Duer, the chief of that description of people, has already produced some other bankruptcies, and more are apprehended. He had obtained money from great numbers of small tradesmen and farmers, tempting them by usurious interest, which has made the distress very extensive. Congress will adjourn within a fortnight. The President negatived their representation bill, as framed on principles contrary to the constitution. I suppose another will be passed, allowing simply a representative for every thirty or thirty-three thousand in each state. The troubles in the French island continue extreme; we have, as yet, heard of the arrival but of a few troops. There begins to be reason to apprehend the negroes will perhaps never be entirely reduced. A commission has issued to Mr. Carmichael and Mr. Short, to treat with the court of Madrid on the subjects heretofore in negotiation between us. I suppose Mr. Short will be in Madrid by the last of May. We expect Major Pinckney here hourly, on his way to London, as our Minister Plenipotentiary to that court. For a state of our transactions in general, I refer you to the newspapers which accompany this. I put under your cover letters and newspapers for Mr. Carmichael and Mr. Barclay, which I pray you to contrive by some sure conveyances. We must make you, for some time, the common centre of our correspondence.

I am, with great and sincere respect and esteem,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, April 12, 1792.

Sir,

I am this moment favoured with the letter you did me the honour of writing yesterday, covering the extract of a British statute, forbidding the admission of foreign vessels into any ports of the British dominions, with goods or commodities of the growth, production, or manufacture of America. The effect of this appears to me so extensive, as to induce a doubt whether I understand rightly the determination to enforce it which you notify, and to oblige me to ask of you whether we are to consider it as so far a revocation of the proclamation of your government, regulating the commerce between the two countries, and that henceforth no articles of the growth, production, or manufacture of the United States, are to be received in the ports of Great Britain or Ireland, in vessels belonging to the citizens of the United States.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,

Your most obedient and most humble servant,

Th. Jefferson.

The Secretary of State presents his compliments to Mr. Hammond, and incloses him the draught of a letter to the President of the United States, which he has prepared to accompany Mr. Hammond's communication of the 11th and letter of the 12th. The whole will probably be laid by the President before the Legislature, and perhaps communicated to the public, in order to let the merchants know that they need not suspend their shipments, but to the islands of Jersey and Guernsey. Before sending the letter to the President, the Secretary of State has chosen to communicate it to Mr. Hammond in a friendly way, being desirous to know whether it meets his approbation, or whether he would wish any alterations in it.

April 13, 1792.

TO THE PRESIDENT.

Philadelphia, April 13, 1792.

Sir,

I have the honour to lay before you a communication from Mr. Hammond, Minister Plenipotentiary of his Britannic Majesty, covering a clause of a statute of that country relative to its commerce with this, and notifying a determination to carry it into execution henceforward. Conceiving that the determination announced could not be really meant as extensively as the words import, I asked and received an explanation from the minister, as expressed in the letter and answer herein inclosed: and on consideration of all circumstances, I cannot but confide in the opinion expressed by him, that its sole object is to exclude foreign vessels from the islands of Jersey and Guernsey. The want of proportion between the motives expressed and the measure, its magnitude and consequences, total silence as to the proclamation on which the intercourse between the two countries has hitherto hung, and of which, in this broad sense, it would be a revocation, and the recent manifestations of the disposition of that government to concur with this in mutual offices of friendship and good will, support his construction. The minister, moreover, assured me, verbally, that he would immediately write to his court for an explanation, and, in the mean time, is of opinion that the usual intercourse of commerce between the two countries (Jersey and Guernsey excepted) need not be suspended.

I have the honour to be, with sentiments of the most profound respect and attachment,

Sir,

Your most obedient and most humble servant,

Th. Jefferson.

TO MESSRS. CARMICHAEL AND SHORT.

Philadelphia, April 24, 1792.

Gentlemen,

My letter of March the 18th conveyed to you full powers for treating with Spain on the subjects therein expressed. Since that, our attention has been drawn to the case of fugitive debtors and criminals, whereon it is always well that coterminous states should understand one another, as far as their ideas on the rightful powers of government can be made to go together. Where they separate, the cases may be left unprovided for. The inclosed paper, approved by the President, will explain to you how far we can go, in an agreement with Spain *for her territories bordering on us:* and the plan of a convention is there stated. You are desired to propose the matter to that court, and establish with them so much of it as they approve, filling up the blank for the manner of the demand by us and compliance by them, in such way, as their laws and the organization of their government may require. But recollect that they bound on us between two and three thousand miles, and, consequently, that they should authorize a delivery by some description of officers to be found on every inhabited part of their border. We have thought it best to agree, specially, the manner of proceeding *in our country*, on a demand of theirs, because the convention will in that way execute itself, without the necessity of a new law for the purpose. Your general powers being comprehensive enough to take in this subject, no new ones are issued.

I have the honour to be, with great respect,
Gentlemen,
Your most obedient and most humble servant,
TH. JEFFERSON.

[The annexed are the papers referred to in the preceding.]

Project of a Convention with the Spanish Provinces.

Any person having committed murder of malice prepense, not of the nature of treason, within the United States, or the Spanish provinces adjoining thereto, and fleeing from the justice of the country, shall be delivered up by the government where he shall be found, to that from which he fled, whenever demanded by the same.

The manner of the demand by the Spanish government, and of the compliance by that of the United States, shall be as follows. The person authorized by the Spanish government where the murder was committed, to pursue the fugitive, may apply to any justice of the supreme court of the United States, or to the district judge of the place where the fugitive is, exhibiting proof on oath that a murder has been committed by the said fugitive within the said government, who shall thereon issue his warrant to the marshal or deputy marshal of the same place, to arrest the fugitive and have him before the said district judge; or the said pursuer may apply to such marshal or deputy marshal directly, who, on exhibition of proof as aforesaid, shall thereupon arrest the fugitive, and carry him before the said district judge; and when before him in either way, he shall, within not less than ——— days, nor more than ———, hold a special court of inquiry, causing a grand jury to be summoned thereto, and charging them to inquire whether the fugitive hath committed a murder, not of the nature of treason, within the province demanding him; and on their finding a true bill, the judge shall order the officer in whose custody the fugitive is, to deliver him over to the person authorized as aforesaid to receive him, and shall give such further authorities to aid the said person in safe keeping, and conveying the said fugitive to the limits of the United States, as shall be necessary and within his powers; and his powers shall expressly extend to command the aid of *posse* of every district through which the said fugitive is to be carried. And the said justices, judges, and other officers, shall use in the premises the same process and proceedings, *mutatis mutandis*, and govern themselves by the same principles and rules of law, as in cases of murder committed on the high seas.

And the manner of demand by the United States and of compliance by the Spanish government, shall be as follows. The person authorized by a justice of the Supreme Court of the United States, or by the district judge where the murder was committed, to pursue the fugitive, may apply to ———.

Evidence on oath, though written and *ex parte*, shall have the same weight with the judge and grand jury in the preceding cases, as if the same had been given before them orally and in presence of the prisoner.

The courts of justice of the said states and provinces, shall be reciprocally open for the demand and recovery of debts due to any person inhabiting the one, from any person fled therefrom and found in the other, in like manner as they are open to their own citizens; likewise, for the recovery of the property, or the value thereof, carried away from any person inhabiting the one, by any person fled therefrom and found in the other, which carrying away shall give a right of civil action, whether the fugitive came to the original possession lawfully or unlawfully, even feloniously; likewise, for the recovery of damages sustained by any forgery committed by such fugitive. And the same provision shall hold in favour of the representatives of the original creditor or sufferer, and against the representatives of the original debtor, carrier away, or forger; also, in favour of either government or of corporations, as of natural persons. But in no case shall the person of the defendant be imprisoned for the debt, though the process, whether original, mesne, or final, be for the form sake directed against his person. If the time between the flight and the commencement of the action exceed not —— years, it shall be counted but as one day under any act of limitations.

This convention shall continue in force —— years, from the exchange of ratifications, and shall not extend to any thing happening previous to such exchange.

Heads of consideration on the establishment of conventions between the United States and their neighbours, for the mutual delivery of fugitives from justice.

Has a nation a right to punish a person who has not offended itself? Writers on the law of nature agree that it has not. That, on the contrary, exiles and fugitives are, to it, as other strangers, and have a right of residence, unless their presence would be noxious; e. g. infectious persons. One writer extends the exception to atrocious criminals, too imminently dangerous to society; namely, to pirates, murderers, and incendiaries. Vattel, L. 1. 5. 233.

The punishment of *piracy* being provided for by our laws, need not be so by convention.

Murder. Agreed that this is one of the extreme crimes justifying a denial of habitation, arrest, and re-delivery. It should be carefully restrained by definition to homicide of *malice prepense, and not of the nature of treason.*

Incendiaries, or those guilty of *arson*. This crime is so rare as not to call for extraordinary provision by a convention. The only *rightful* subject then of arrest and delivery, for which we have *need*, is *murder*. Ought we to wish to strain the natural right of arresting and re-delivering fugitives to other cases?

The punishment of all real crimes is certainly desirable, as a security to society; the security is greater in proportion as the chances of avoiding punishment are less. But does the fugitive from his country avoid punishment? He incurs exile, not voluntary, but under a moral necessity as strong as physical. Exile, in some countries, has been the highest punishment allowed by the laws. To most minds it is *next to death*; to many *beyond it*. The fugitive indeed is not of the latter; he must estimate it somewhat *less than death*. It may be said that to *some*, as foreigners, it is no punishment.

Answer. These cases are few. Laws are to be made for the mass of cases.

The object of a convention then, in other cases, would be, that the fugitive might not avoid the *difference between exile and the legal punishment of the case*. Now in what case would this *difference* be so important, as to overweigh even the single inconvenience of multiplying compacts?

1. *Treason*. This, when real, merits the highest punishment. But most codes extend their definitions of treason to acts not really against one's country. They do not distinguish between acts against the *government* and acts against the *oppressions of the government*: the latter are virtues; yet have furnished more victims to the executioner than the former; because real treasons are rare; oppressions frequent. The unsuccessful strugglers against tyranny, have been the chief martyrs of treason laws in all countries.

Reformation of government with *our* neighbours, being as much wanted now as reformation of religion is, or ever was any where, we should not wish, then, to give up to the executioner the patriot who fails, and flees to us. Treasons, then, taking the *simulated* with the *real*, are sufficiently punished by exile.

2. Crimes against *property*; the punishment in most countries immensely disproportionate to the crime.

In England, and probably in Canada, to steal a horse is death, the first offence; to steal above the value of twelve pence is death, the second offence. All *excess* of punishment is a crime. To remit a fugitive to excessive punishment is to be accessary to the crime. Ought we to wish for the obligation, or the right to do it? Better, on the whole, to consider these crimes as sufficiently punished by the exile.

There is one crime, however, against property, pressed by its consequences into more familiar notice, to wit:

Forgery, whether of *coin* or *paper*; and whether paper of *public* or *private* obligation. But the fugitive for forgery is punished by exile and confiscation of the property he leaves; to which add, by convention, a civil action against the property he carries or acquires, to the amount of the special damage done by his forgery.

The *carrying away* of the property of another, may also be reasonably made to found a *civil* action. A convention, then, may include forgery and the carrying away the property of others, under the head of—

3. *Flight from debts.*

To remit the fugitive in this case, would be to remit him in every case; for, in the present state of things, it is next to impossible not to owe something. But I see neither injustice nor inconvenience in permitting the fugitive to be sued in our courts. The laws of some countries punishing the unfortunate debtor by perpetual imprisonment, he is right to liberate himself by flight, and it would be wrong to re-imprison him in the country to which he flies. Let all process, therefore, be confined to his property.

Murder, not amounting to treason, being the only case in which the fugitive is to be delivered:

On what *evidence*, and *by whom*, shall he be delivered?

In this country, let any justice of the supreme court of the United States, or other judge of the district where the fugitive is found, use the same proceedings as for a murder committed on the high seas, until the *finding* of the '*true bill*' by the grand jury; but evidence on oath from the country demanding him, though in *writing* and *ex parte*, should have the same effect as if delivered *orally* at the *examination*.

A true bill being found by the grand jury, let the officer in whose custody the fugitive is, deliver him to the person charged to demand and receive him.

In the British provinces adjoining us, the same proceedings will do.

In the Spanish provinces, a proceeding adapted to the course of their laws should be agreed on.

March 22, 1792.

TO GOUVERNEUR MORRIS.

Philadelphia, April 28, 1792.

Dear Sir,

My last letter to you was of the 10th of March. The preceding one of January the 23rd, had conveyed to you your appointment as Minister Plenipotentiary to the court of France. The present will, I hope, find you there. I now inclose you the correspondence between the Secretary of the Treasury and Minister of France, on the subject of the monies furnished to the distressed of their colonies. You will perceive that the minister chose to leave the adjustment of the terms to be settled at Paris, between yourself and the King's ministers.

This you will therefore be pleased to do, on this principle: that we wish to avoid any loss by the mode of payment, but would not choose to make a gain which should throw loss on them. But the letters of the Secretary of the Treasury will sufficiently explain the desire of the government, and be a sufficient guide to you.

I now inclose you the act passed by Congress for facilitating the execution of the consular convention with France. In a bill which has passed the House of Representatives for raising monies for the support of the Indian war, while the duties on every other species of wine are raised from one to three-fourths more than they were, the best wines of France will pay little more than the worst of any other country, to wit, between six and seven cents a bottle; and where this exceeds forty per cent. on their cost, they will pay but the forty per cent. I consider this latter provision as likely to introduce in abundance the cheaper wines of France, and the more so as the tax on ardent spirits is considerably raised. I hope that these manifestations of friendly dispositions towards that country will induce them to repeal the very obnoxious laws respecting our commerce, which were passed by the preceding National Assembly. The present session of Congress will pass over, without any other notice of them than the friendly preferences before mentioned. But if these should not produce a retaliation of good on their part, a retaliation of evil must follow on ours. It will be impossible to defer longer than the next session of Congress some counter regulations for the protection of our navigation and commerce. I must intreat you, therefore, to avail yourself of every occasion of friendly remonstrance on this subject. If they wish an equal and cordial treaty with us, we are ready to enter into it. We would wish that this could be the scene of negotiation, from considerations suggested by the nature of our government, which will readily occur to you. Congress will rise on this day se'nnight. I inclose you a letter from Mrs. Greene, who asks your aid in getting her son forwarded by the Diligence to London, on his way to America. The letter will explain to you the mode and the means, and the parentage and genius of the young gentleman will insure your aid to him. As this goes by the French packet, I send no newspapers, laws, or other articles of that kind, the postage of which would be high.

I am, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

CIRCULAR TO THE AMERICAN CONSULS.

Philadelphia, May 31, 1792.

SIR,

Congress having closed their session on the 8th instant, I have now the honour to forward you a copy of the laws passed thereat. One of these, chapter twenty-four, will require your particular attention, as it contains such regulations relative to the consular office, as it has been thought proper to establish legislatively.

With respect to the security required by the sixth section, I would prefer persons residing within the United States, where the party can procure such, to be his security. In this case, his own bond, duly executed, may be sent to me, and his sureties here may enter into a separate bond. Where the party cannot conveniently find sureties within the United States, my distance and want of means of knowing their sufficiency, oblige me to refer him to the minister or chargé des affaires of the United States, within the same government, if there be one, and if not, then to the minister of the United States, resident at Paris. The securities which they shall approve will be admitted as good. In like manner, the account for their disbursements, authorized by this law, (and no other can be allowed) are to be settled at stated periods with the minister or chargé within their residence, if there be one; if none, then with the minister of the United States, at Paris. The person who settles the account is authorized to pay it. Our consuls in America are not meant to be included in these directions as to securityship and the settlement of their accounts, as their situation gives them a more convenient communication with me. It is also recommended to the consuls to keep an ordinary correspondence with the minister or chargé to whom they are thus referred; but it would be also useful, if they could forward directly to me, from time to time, the prices current of their place, and any other circumstances which it might be interesting to make known to our merchants without delay.

The prices of our funds have undergone some variations within the last three months. The six per cents. were pushed by gambling adventurers up to twenty-six and a half, or twenty-seven and a half shillings the pound. A bankruptcy having taken place among these, and considerably affected the more respectable part of the paper holders, a greater quantity of paper was thrown suddenly on the market than there was demand or money to take up. The prices fell to nineteen shillings. This crisis has passed, and they are getting up towards their value. Though the price of public paper is considered as the barometer of the public credit, it is truly so only as to the general average of prices. The real credit of the United States depends on their ability, and the immutability of their will to pay their debts. These were as evident when their paper fell to nineteen shillings, as when it was at twenty-seven shillings. The momentary variation was like that in the price of corn, or any other commodity, the result of a momentary disproportion between the demand and supply.

The unsuccessful issue of our expedition against the savages the last year, is not unknown to you. More adequate preparations are making for the present year, and in the mean time, some of the tribes have accepted peace, and others have expressed a readiness to do the same.

Another plentiful year has been added to those which had preceded it, and the present bids fair to be equally so. A prosperity built on the basis of agriculture is that which is most desirable to us, because to the efforts of labour it adds the efforts of a greater proportion of soil. The checks, however, which the commercial regulations of Europe have given to the sale of our produce, have produced a very considerable degree of domestic manufacture, which, so far as it is of the household kind, will doubtless continue, and so far as it is more public, will depend on the continuance or discontinuance of the European policy.

I am, with great esteem,
Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO JOHN PAUL JONES.

Philadelphia, June 1, 1792.

SIR,

The President of the United States having thought proper to appoint you commissioner for treating with the Dey and government of Algiers, on the subjects of peace, and ransom of our captives, I have the honour to inclose you the commissions, of which Mr. Thomas Pinckney, now on his way to

London as our Minister Plenipotentiary there, will be the bearer. Supposing that there exists a disposition to thwart our negociations with the Algerines, and that this would be very practicable, we have thought it advisable that the knowledge of this appointment should rest with the President, Mr. Pinckney, and myself; for which reason you will perceive, that the commissions are all in my own hand writing. For the same reason, entire secrecy is recommended to you, and that you so cover from the public your departure and destination, as that they may not be conjectured or noticed; and at the same time, that you set out after as short delay as your affairs will possibly permit.

In order to enable you to enter on this business with full information, it will be necessary to give you a history of what has passed.

On the 25th of July, 1785, the schooner Maria, Captain Stevens, belonging to a Mr. Foster, of Boston, was taken off Cape St. Vincents, by an Algerine cruiser; and five days afterwards, the ship Dauphin, Captain O'Bryan, belonging to Messrs. Irwins of Philadelphia, was taken by another, about fifty leagues westward of Lisbon. These vessels, with their cargoes and crews, twenty-one persons in number, were carried into Algiers. Mr. John Lambe, appointed agent for treating of peace between the United States and the government of Algiers, was ready to set out from France on that business, when Mr. Adams and myself heard of these two captures. The ransom of prisoners being a case not existing when our powers were prepared, no provision had been made for it. We thought, however, we ought to endeavour to ransom our countrymen, without waiting for orders; but, at the same time, that, acting without authority, we should keep within the lowest price which had been given by any other nation. We therefore gave a supplementary instruction to Mr. Lambe to ransom our captives, if it could be done for two hundred dollars a man, as we knew that three hundred French captives had been just ransomed by the Mathurins, at a price very little above this sum. He proceeded to Algiers; but his mission proved fruitless. He wrote us word from thence, that the Dey asked fifty-nine thousand four hundred and ninety-six dollars for the twenty-one captives, and that it was not probable he would abate much from that price. But he never intimated an idea of agreeing to give it. As he has never settled the accounts of his mission, no further information has been received. It has been said that he entered into a positive stipulation with the Dey, to pay for the prisoners the price above mentioned, or something near it; and that he came away with an assurance to return with the money. We cannot believe the fact true: and if it were, we disavow it totally, as far beyond his powers. We have never disavowed it formally, because it has never come to our knowledge with any degree of certainty.

In February, 1787, I wrote to Congress to ask leave to employ the Mathurins of France in ransoming our captives; and on the 19th of September, I received their orders to do so, and to call for the money from our bankers at Amsterdam, as soon as it could be furnished. It was long before they could furnish the money; and as soon as they notified that they could, the business was put into train by the General of the Mathurins, not with the appearance of acting for the United States, or with their knowledge, but merely on the usual ground of charity. This expedient was rendered abortive by the revolution of France, the derangement of ecclesiastical orders there, and the revocation of church property, before any proposition, perhaps, had been made in form by the Mathurins to the Dey of Algiers. I have some reason to believe that Mr. Eustace, while in Spain, endeavoured to engage the court of Spain to employ their Mathurins in this business; but whether they actually moved in it or not, I have never learned.

We have also been told, that a Mr. Simpson, of Gibraltar, by the direction of the Messrs. Bulkeleys, of Lisbon, contracted for the ransom of our prisoners (then reduced by death and ransom to fourteen) at thirty-four thousand seven hundred and ninety-two dollars. By whose orders they did it, we could never learn. I have suspected it was some association in London, which, finding the prices far above their conception, did not go through with their purpose, which probably had been merely a philanthropic one. Be this as it may, it was without our authority or knowledge.

Again, Mr. Cathalan, our consul at Marseilles, without any instruction from the government, and actuated merely, as we presume, by willingness to do something agreeable, set on foot another negociation for their redemption, which ended in nothing.

These several volunteer interferences, though undertaken with good intentions, run directly counter to our plan; which was, to avoid the appearance of any purpose on our part ever to ransom our captives; and by that semblance of neglect, to reduce the demands of the Algerines to such a price, as might make it hereafter less their interest to pursue our citizens than any others. On the contrary, they have supposed all these propositions came directly or indirectly from us; they inferred from thence the greatest anxiety on our part, where we had been endeavouring to make them suppose there was none; kept up their demands for our captives at the highest prices ever paid by any nation; and thus these charitable, though unauthorised interpositions, have had the double effect of strengthening the chains they were meant to break, and making us at last set a much higher rate of ransom for our citizens, present and future, than we probably should have obtained, if we had been left alone to do our own work in our own way. Thus stands this business then at present—a formal bargain, as I am informed, being registered in the books of the former Dey, on the part of the Bulkeleys of Lisbon, which they suppose to be obligatory on us, but which is to be utterly disavowed, as having never been authorised by us, nor its source even known to us.

In 1790, this subject was laid before Congress fully; and at the late session, monies have been provided, and authority given to proceed to the ransom of our captive citizens at Algiers, provided it shall not exceed a given sum; and provided also, a peace shall be previously negotiated, within certain limits of expense. And in consequence of these proceedings, your mission has been decided on by the President.

Since, then, no *ransom* is to take place without a *peace*, you will of course take up first, the negotiation of peace; or, if you find it better that peace and ransom should be treated of together, you will take care that no agreement for the latter be concluded, unless the former be established before or in the same instant.

As to the conditions, it is understood that no peace can be made with that government, but for a larger sum of money to be paid at once for the whole time of its duration, or for a smaller one to be annually paid. The former plan we entirely refuse, and adopt the latter. We have also understood that peace might be bought cheaper with naval stores than with money: but we will not furnish them naval stores, because we think it not right to furnish them means which we know they will employ to do wrong; and because there might be no economy in it as to ourselves, in the end, as it would increase the expenses of that coercion which we may in future be obliged to practise towards them. The only question, then, is, what sum of *money* will we agree to pay them *annually*, for peace? By a letter from Captain O'Bryan, a copy of which you will receive herewith, we have his opinion that a peace could be purchased with *money*, for sixty thousand pounds sterling, or with *naval stores* for one hundred thousand dollars. An annual payment equivalent to the first, would be three thousand pounds sterling, or thirteen thousand and five hundred dollars, the interest of the sum in gross. If we could obtain it for as small a sum as the second, in *money*, the annual payment equivalent to it would be five thousand dollars. In another part of the same letter, Captain O'Bryan says, 'if maritime stores and two light cruisers be given, and a tribute paid in maritime stores every two years, amounting to twelve thousand dollars in America, a peace can be had. The gift of stores and cruisers here supposed, converted into an annual equivalent, may be stated at nine thousand dollars, and adding to it half the biennial sum, would make fifteen thousand dollars, to be annually paid. You will, of course, use your best endeavours to get it at the lowest sum practicable; whereupon I shall only say, that we should be pleased with ten thousand dollars, contented with fifteen thousand, think twenty thousand a very hard bargain, yet go as far as twenty-five thousand, if it be impossible to get it for less; but not a copper further, this being fixed by law as the utmost limit. These are meant as annual sums. If you can put off the first annual payment to the end of the first year, you may employ any sum not exceeding that, in presents to be paid down; but if the first payment is to be made in hand, that and the presents cannot by law exceed twenty-five thousand dollars.

And here we meet a difficulty, arising from the small degree of information we have respecting the Barbary States. Tunis is said to be tributary to Algiers. But whether the effect of this be, that peace being made with Algiers, is of course with the Tunisians, without separate treaty or separate price, is what we know not. If it be possible to have it placed on this footing, so much the better. In any event, it will be necessary to stipulate with Algiers, that her influence be interposed as strongly as possible with Tunis, whenever we shall proceed to treat with the latter; which cannot be till information of the event of your negotiation, and another session of Congress.

As to the articles and form of the treaty in general, our treaty with Morocco was so well digested that I inclose you a copy of that, to be the model with Algiers, as nearly as it can be obtained, only inserting the clause with respect to Tunis.

The ransom of the captives is next to be considered. They are now thirteen in number; to wit, Richard O'Bryan and Isaac Stevens, captains; Andrew Montgomery and Alexander

Forsyth, mates; Jacob Tessanier, a French passenger; William Patterson, Philip Sloan, Peleg Lorin, James Hall, James Cathcart, George Smith, John Gregory, James Hermit, seamen. It has been a fixed principle with Congress, to establish the rate of ransom of American captives with the Barbary States at as low a point as possible, that it may not be the interest of those States to go in quest of our citizens in preference to those of other countries. Had it not been for the danger it would have brought on the residue of our seamen, by exciting the cupidity of those rovers against them, our citizens now in Algiers would have been long ago redeemed, without regard to price. The mere money for this particular redemption neither has been, nor is, an object with any body here. It is from the same regard to the safety of our seamen at large, that they have now restrained us from any ransom unaccompanied with peace. This being secured, we are led to consent to terms of ransom, to which, otherwise, our government never would have consented; that is to say, to the terms stated by Captain O'Bryan in the following passage of the same letter. 'By giving the minister of the marine (the present Dey's favourite) the sum of one thousand sequins, I would stake my life that we would be ransomed for thirteen thousand sequins, and all expenses included.' Extravagant as this sum is, we will, under the security of peace in future, go so far; not doubting, at the same time, that you will obtain it as much lower as possible, and not indeed without a hope that a lower ransom will be practicable, from the assurances given us in other letters from Captain O'Bryan, that prices are likely to be abated by the present Dey, and particularly with us, towards whom he has been represented as well disposed. You will consider this sum, therefore, say twenty-seven thousand dollars, as your ultimate limit, including ransom, duties, and gratifications of every kind.

As soon as the ransom is completed, you will be pleased to have the captives well clothed and sent home at the expense of the United States, with as much economy as will consist with their reasonable comfort. It is thought best, that Mr. Pinckney, our minister at London, should be the confidential channel of communication between us. He is enabled to answer your drafts for money within the limits before expressed; and as this will be by re-drawing on Amsterdam, you must settle with him the number of days *after sight*, at which your bills shall be payable in London, so as to give him time, in the mean while, to draw the money from Amsterdam.

We shall be anxious to know as soon and as often as possible, your prospects in these negotiations. You will receive herewith a cypher, which will enable you to make them with safety. London and Lisbon (where Colonel Humphreys will forward my letters) will be the safest and best ports of communication. I also inclose two separate commissions, for the objects of peace and ransom. To these is added a commission to you as consul for the United States, at Algiers, on the possibility that it might be useful for you to remain there till the ratification of the treaties shall be returned from hence; though you are not to delay till their return the sending the captives home, nor the necessary payments of money within the limits before prescribed. Should you be willing to remain there, even after the completion of the business, as consul for the United States, you will be free to do so, giving me notice, that no other nomination may be made. These commissions, being issued during the recess of the Senate, are in force, by the constitution, only till the next session of the Senate. But their renewal then is so much a matter of course and of necessity, that you may consider that as certain, and proceed without interruption. I have not mentioned this in the commissions, because it is in all cases surplusage, and because it might be difficult of explanation to those to whom you are addressed.

The allowance for all your expenses and time (exclusive of the ransom, price of peace, duties, presents, maintenance and transportation of the captives) is at the rate of two thousand dollars a year, to commence from the day on which you shall set out for Algiers, from whatever place you may take your departure. The particular objects of peace and ransom once out of the way, the two thousand dollars annually are to go in satisfaction of time, services, and expenses of every kind, whether you act as consul or commissioner.

As the duration of this peace cannot be counted on with certainty, and we look forward to the necessity of coercion by cruises on their coast, to be kept up during the whole of their cruising season, you will be pleased to inform yourself, as minutely as possible, of every circumstance which may influence or guide us in undertaking and conducting such an operation, making your communications by safe opportunities.

I must recommend to your particular notice Captain O'Bryan, one of the captives, from whom we have received a great deal of useful information. The zeal which he has displayed under the trying circumstances of his present situation, has been very distinguished. You will find him intimately acquainted with the manner in which, and characters with whom business is to be done there, and perhaps he may be an useful instrument to you, especially in the outset of your undertaking, which will require the utmost caution and the best information. He will be able to give you the characters of the European consuls there, though you will, probably, not think it prudent to repose confidence in any of them.

Should you be able successfully to accomplish the objects of your mission in time to convey notice of it to us as early as possible during the next session of Congress, which meets in the beginning of November, and rises the 4th of March, it would have a very pleasing effect.

I am, with great esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. PINCKNEY.

Philadelphia, June 11, 1792.

DEAR SIR,

I have already had the honour of delivering to you your commission as Minister Plenipotentiary of the United States at the court of London, and have now that of inclosing your letter of credence to the King, sealed, and a copy of it open for your own information. Mr. Adams, your predecessor, seemed to understand, on his being presented to that court, that a letter was expected for the Queen also. You will be pleased to inform yourself whether the custom of that court requires this from us; and to enable you to comply with it, if it should, I enclose a letter, sealed, for the Queen, and a copy of it, open, for your own information. Should its delivery not be requisite, you will be so good as to return it, as we do not wish to set a precedent which may bind us hereafter to a single unnecessary ceremony. To you, Sir, it will be unnecessary to undertake a general delineation of the duties of the office to which you are appointed. I shall therefore only express a desire that they be constantly exercised in that spirit of sincere friendship which we bear to the English nation, and that in all transactions with the minister, his good dispositions be conciliated by whatever in language or attentions may tend to that effect. With respect to their government, or policy, as concerning themselves or other nations, we wish not to intermeddle, in word or deed, and that it be not understood that our government permits itself to entertain either a will or an opinion on the subject.

I particularly recommend to you, as the most important of your charges, the patronage of our commerce, and its liberation from embarrassments in all the British dominions; but most especially in the West Indies. Our consuls in Great Britain and Ireland are under general instructions to correspond with you, as you will perceive by the copy of a circular letter lately written to them, and now enclosed. From them you may often receive interesting information. Mr. Joshua Johnson is consul for us at London, James Maury, at Liverpool, Elias Vanderhorst, at Bristol, Thomas Auldjo, vice consul at Pool, (resident at Cowes), and William Knox, consul at Dublin. The jurisdiction of each is exclusive and independent, and extends to all places within the same allegiance nearer to him than to the residence of any other consul or vice consul of the United States. The settlement of their accounts, from time to time, and the payment of them, are referred to you, and in this, the act respecting consuls and any other laws made, or to be made, are to be your guide. Charges which these do not authorise, you will be pleased not to allow. These accounts are to be settled up to the first day of July in every year, and to be transmitted to the Secretary of State.

The peculiar custom in England, of impressing seamen on every appearance of war, will occasionally expose our seamen to peculiar oppressions and vexations. These will require your most active exertions and protection, which we know cannot be effectual without incurring considerable expense; and as no law has as yet provided for this, we think it fairer to take the risk of it on the executive than to leave it on your shoulders. You will, therefore, with all due economy, and on the best vouchers the nature of the case will admit, meet those expenses, transmitting an account of them to the Secretary of State, to be communicated to the legislature. It will be expedient that you take proper opportunities, in the mean time, of conferring with the minister on this subject, in order to form some arrangement for the protection of our seamen on those occasions. We entirely reject the mode which was the subject of a conversation between Mr. Morris and him, which was, that our seamen should always carry about them certificates of their citizenship. This is a condition never yet submitted to by any nation,—one with which seamen would never have the precaution to comply; the casualties of their calling would expose them to the constant destruction or loss of this paper evidence, and thus, the British government would be armed with *legal authority* to impress the whole of our seamen. The simplest rule will be, that the vessel being

American, shall be evidence that the seamen on board her are such. If they apprehend that our vessels might thus become asylums for the fugitives of their own nation from impress-gangs, the number of men to be protected by a vessel may be limited by her tonnage, and one or two officers only be permitted to enter the vessel in order to examine the numbers on board: but no press-gang should be allowed ever to go on board an American vessel, till after it shall be found that there are more than their stipulated number on board, nor till after the master shall have refused to deliver the supernumeraries (to be named by himself) to the press-officer who has come on board for that purpose; and even then, the American consul should be called in. In order to urge a settlement of this point, before a new occasion may arise, it may not be amiss to draw their attention to the peculiar irritation excited on the last occasion, and the difficulty of avoiding our making immediate reprisals on their seamen here. You will be so good as to communicate to me what shall pass on this subject, and it may be made an article of convention, to be entered into either there or here.

You will receive herewith a copy of the journals of the antient Congress, and of the laws, journals, and reports of the present. Those for the future, with gazettes and other interesting papers, shall be sent you from time to time; and I shall leave you generally to the gazettes, for whatever information is in possession of the public, and shall especially undertake to communicate by letter, such only relative to the business of your mission as the gazetteers cannot give. From you I ask, once or twice a month, a communication of interesting occurrences in England, of the general affairs of Europe, the court gazette, the best paper in the interest of the ministry, and the best of the opposition party, most particularly that one of each which shall give the best account of the debates of parliament, the parliamentary register annually, and such other political publications as may be important enough to be read by one who can spare little time to read any thing, or which may contain matter proper to be kept and turned to, on interesting subjects and occasions. The English packet is the most certain channel for such epistolary communications as are not very secret, and intermediate occasions by private vessels may be resorted to for secret communications, and for such as would come too expensively burthened with postage, by the packets. You are furnished with a cypher for greater secrecy of communication. To the papers before mentioned, I must desire you to add the Leyden gazette, paper by paper as it comes out, by the first vessel sailing after its receipt.

I inclose you the papers in the case of a Mr. Wilson, ruined by the capture of his vessel after the term limited by the armistice. They will inform you of the circumstances of his case, and where you may find him personally, and I recommend his case to your particular representations to the British court. It is possible that other similar cases may be transmitted to you. You have already received some letters of Mr. Adams's explanations of the principles of the armistice, and of what had passed between him and the British minister on the subject.

Mr. Greene of Rhode Island will deliver you his papers; and I am to desire that you may patronise his claims so far as shall be just and right, leaving to himself and his agent to follow up the minute details of solicitation, and coming forward yourself only when there shall be proper occasion for you to do so in the name of your nation.

Mr. Cutting has a claim against the government, vouchers for which he is to procure from England. As you are acquainted with the circumstances of it, I have only to desire that you will satisfy yourself as to any facts relative thereto, the evidence of which cannot be transmitted, and that you will communicate the same to me, that justice may be done between the public and the claimant.

We shall have occasion to ask your assistance in procuring a workman or two for our mint: but this shall be the subject of a separate letter, after I shall have received more particular explanations from the director of the mint.

I have the honour to be, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THOMAS PINCKNEY.

Philadelphia, June 11, 1792.

SIR,

The letter I have addressed to Admiral Jones, of which you have had the perusal, has informed you of the mission with which the President has thought proper to charge him at Algiers, and how far your agency is desired for conveying to him the several papers, for receiving and paying his drafts to the amount therein permitted, by re-drawing yourself on our bankers in Amsterdam, who are instructed to honour your bills, and by acting as a channel of correspondence between us. It has been some time, however, since we have heard of Admiral Jones. Should any accident have happened to his life, or should you be unable to learn where he is, or should distance, refusal to act, or any other circumstance, deprive us of his services on this occasion, or be likely to produce too great a delay, of which you are to be the judge, you will then be pleased to send all the papers confided to you for him, to Mr. Thomas Barclay, our consul at Morocco, with the letter addressed to him, which is delivered you open, and by which you will perceive that he is, in that event, substituted, to every intent and purpose, in the place of Admiral Jones. You will be pleased not to pass any of the papers confided to you on this business through any post office.

I have the honour to be, with great and sincere esteem,
Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO MR. PINCKNEY.

Philadelphia, June 14, 1792.

SIR,

The United States being now about to establish a mint, it becomes necessary to ask your assistance in procuring persons to carry on some parts of it; and to enable you to give it, you must be apprised of some facts.

Congress, some time ago, authorised the President to take measures for procuring some artists from any place where they were to be had. It was known that a Mr. Drost, a Swiss, had made an improvement in the method of coining, and some specimens of his coinage were exhibited here, which were superior to any thing we had ever seen. Mr. Short was therefore authorised to engage Drost to come over, to erect the proper machinery, and instruct persons to go on with the coinage; and as he supposed this would require but about a year, we agreed to give him a thousand louis a year and his expenses. The agreement was made; two coining mills, or screws, were ordered by him: but, in the end, he declined coming. We have reason to believe he was drawn off by the English East-India Company, and that he is now at work for them in England. Mr. Bolton had also made a proposition to coin for us in England, which was declined. Since this, the act has been passed for establishing our mint, which authorises, among other things, the employment of an assayer at fifteen hundred dollars a year, a chief coiner at the same, and an engraver at twelve hundred dollars. But it admits of the employment of one person, both as engraver and chief coiner; this we expect may be done, as we presume that any engraver who has been used to work for a coinage, must be well enough acquainted with all the operations of coinage to direct them: and it is an economy worth attention, if we can have the services performed by one officer instead of two; in which case, it is proposed to give him the salary of the chief coiner, that is to say, fifteen hundred dollars a year. I have therefore to request that you will endeavour, on your arrival in Europe, to engage and send us an assayer of approved skill and well attested integrity, and a chief coiner and engraver, in one person, if possible, acquainted with all the improvements in coining, and particularly those of Drost and Bolton. Their salaries may commence from the day of their sailing for America. If Drost be in England, I think he will feel himself under some obligation to aid you in procuring persons. How far Bolton will do it, seems uncertain. You will doubtless make what you can of the good dispositions of either of these, or any other person. Should you find it impracticable to procure an engraver capable of performing the functions of chief coiner also, we must be content that you engage separate characters. Let these persons bring with them all the implements necessary for carrying on the business, except such as you shall think too bulky and easily made here. It would be proper, therefore, that they should consult you as to the necessary implements and their prices, that they may act under your control. The method of your paying for these implements, and making reasonable advances to the workmen, shall be the subject of another letter, after the President shall have decided thereon. It should be a part of the agreement of these people, that they will faithfully instruct all persons in their art, whom we shall put under them for that purpose. Your contract with them may be made for any term not exceeding four years.

I have the honour to be, with great and much esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

P. S. Should you not be able to procure persons of eminent qualifications for their business, in England, it will be proper to open a correspondence with Mr. Morris on the subject, and see whether he cannot get such from France. Next to the obtaining the ablest artists, a very important circumstance is to send them to us as soon as possible.

T. J.

TO GOUVERNEUR MORRIS.

Philadelphia, June 16, 1792.

DEAR SIR,

My last to you was of March the 28th. Yours of April the 6th and 10th came to hand three days ago.

With respect to the particular objects of commerce susceptible of being placed on a better footing, on which you ask my ideas, they will shew themselves by the inclosed table of the situation of our commerce with France and England. That with France is stated as it stood at the time I left that country, when the only objects whereon change was still desirable, were those of salted provisions, tobacco and tar, pitch and turpentine. The first was in negotiation when I came away, and was pursued by Mr. Short with prospects of success, till their general tariff so unexpectedly deranged our commerce with them as to other articles. Our commerce with their West Indies had never admitted amelioration during my stay in France. The temper of that period did not allow even the essay, and it was as much as we could do to hold the ground given us by the Marshal de Castries' *Arrét*, admitting us to their colonies with salted provisions, &c. As to both these branches of commerce, to wit, with France and her colonies, we have hoped they would pursue their own proposition of arranging them by treaty, and that we could draw that treaty to this place. There is no other where the dependence of their colonies on our States for their prosperity is so obvious as here, nor where their negotiator would feel it so much. But it would be imprudent to leave to the uncertain issue of such a treaty, the re-establishment of our commerce with *France* on the footing on which it was in the beginning of their revolution. That treaty may be long on the anvil; in the mean time, we cannot consent to the late innovations, without taking measures to do justice to our own navigation. This object, therefore, is particularly recommended to you, while you will also be availing yourself of every opportunity which may arise, of benefiting our commerce in any other part. I am in hopes you will have found the moment favourable on your arrival in France, when Monsieur Claviere was in the ministry, and the dispositions of the National Assembly favourable to the ministers. Your cypher has not been sent hitherto, because it required a most confidential channel of conveyance. It is now committed to Mr. Pinckney, who also carries the gazettes, laws, and other public papers, for you. We have been long without any vessel going to Havre. Some of the Indian tribes have acceded to terms of peace. The greater part, however, still hold off, and oblige us to pursue more vigorous measures for war. I inclose you an extract from a circular letter to our consuls, by which you will perceive, that those in countries where we have no diplomatic representative, are desired to settle their accounts annually with the minister of the United States, at Paris. This business I must desire you to undertake. The act concerning consuls will be your guide, and I shall be glad that the 1st of July be the day to which their accounts shall be annually settled and paid, and that they may be forwarded as soon after that as possible to the office of the Secretary of State, to enter into the general account of his department, which it is necessary he should make up always before the meeting of Congress.

I am, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

P. S. I have said nothing of our whale oil, because I believe it is on a better footing since the tariff than before.
T. J.

TO MR. VAN BERCKEL.

Philadelphia, July 2, 1792.

SIR,

It was with extreme concern that I learned from your letter of June the 25th, that a violation of the protection due to you as the representative of your nation had been committed, by an officer of this State entering your house, and serving therein a process on one of your servants. There could be no question but that this was a breach of privilege; the only one was, how it was to be punished. To ascertain this, I referred your letter to the Attorney-General, whose answer I have the honour to inclose you. By this you will perceive, that from the circumstance of your servant's not being registered in the Secretary of State's office, we cannot avail ourselves of the more certain and effectual proceeding which had been provided by an act of Congress for punishing infractions of the law of nations, that act having thought proper to confine the benefit of its provisions to such domestics only as should have been registered. We are to proceed, therefore, as if that act had never been made; and the Attorney-General's letter indicates two modes of proceeding. 1. By a warrant before a single magistrate, to recover the money paid by the servant under a process declared void by law. Herein the servant must be the actor, and the government not intermeddle at all. The smallness of the sum to be re-demanded will place this cause in the class of those in which no appeal to the higher tribunal is permitted, even in the case of manifest error, so that if the magistrates should err, the government has no means of correcting the error. 2. The second mode of proceeding would be, to indict the officer in the Supreme Court of the United States, with whom it would rest to punish him at their discretion, in proportion to the injury done and the malice from which it proceeded; and it would end in punishment alone, and not in a restitution of the money. In this mode of proceeding, the government of the United States is actor, taking the management of the cause into its own hands, and giving you no other trouble than that of bearing witness to such material facts as may not be otherwise supported. You will be so good as to decide in which of these two ways you would choose the proceeding should be; if the latter, I will immediately take measures for having the offender prosecuted according to law.

I have the honour to be, with sentiments of respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO MR. PALESKE.

Monticello, August 19, 1792.

SIR,

I have received at this place your favour of the 9th instant, wherein you request, that, agreeably to the treaty of commerce between the United States and his Prussian Majesty, his consul general be acknowledged as belonging to a most favoured nation; that the privileges and immunities due to a consul general of the most favoured nation be granted to his consul general; and that commissioners be appointed to regulate, by particular convention, the functions of the consuls and vice consuls of the respective nations.

Treaties of the United States, duly made and ratified, as is that with his Prussian Majesty, constitute a part of the law of the land, and need only promulgation to oblige all persons to obey them, and to entitle all to those privileges which such treaties confer. That promulgation having taken place, no other act is necessary or proper, on the part of our government, according to our rules of proceeding, to give effect to the treaty. This treaty, however, has not specified the privileges or functions of consuls; it has only provided that these 'shall be regulated by particular agreement.' To the proposition to proceed as speedily as possible to regulate these functions by a convention, my absence from the seat of government does not allow me to give a definitive answer. I know, in general, that it would be agreeable to our government, on account of the recent changes in its form, to suspend for a while the contracting specific engagements with foreign nations, until something more shall be seen of the direction it will take, and of its mode of operation, in order that our engagements may be so moulded to that, as to insure the exact performance of them which we are desirous ever to observe. Should this be the sentiment of our government on the present occasion, the friendship of his Prussian Majesty is a sufficient reliance to us for that delay which our affairs might require for the present: and the rather, as his vessels are not yet in the habit of seeking our ports; and for the few cases which may occur for some time, our own laws, copied mostly in this respect from those of a very commercial nation, have made the most material of those provisions which could be admitted into a special convention for the protection of vessels, their crews, and cargoes, coming hither. We shall on this, however, and every other occasion, do every thing we can to manifest our friendship to his Prussian Majesty, and our desire to promote commercial intercourse with his subjects; and of this, we hope, he will be fully assured.

I have the honour to be, with great respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE PRESIDENT.

Monticello, August 19, 1792.

SIR,

I was yesterday honoured with yours of the 13th instant, covering the Governor of Vermont's of July the 16th. I presume it cannot now be long before I shall receive his answer to the two letters I wrote him from Philadelphia, on the same subject. I now inclose letters, received by yesterday's post, from Mr. Hammond, Mr. William Knox, and Mr. Paleske, with answers to the two latter. Should these meet your approbation, you will be so good as to seal, and let them go on, under the cover to Mr. Taylor, who will have them conveyed according to their address. Should you wish any alteration of them, it shall be made on their being returned. The Prussian treaty is, I believe, within four years of its expiration. I suspect that personal motives alone induce Mr. Paleske to press for a convention, which would hardly be formed and ratified before it would expire: and that his court cannot lay much stress on it. Mr. Hammond's former explanations of his notification of the 12th of April, having been laid before Congress, may perhaps make it proper to communicate to them also his sovereign's approbation of them.

I have the honour to be, with sentiments of the most perfect respect and attachment,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE TERNANT.

Philadelphia, September 27, 1792.

Sir,

Your letter of the 2nd instant, informing me that the legislative body, on the proposition of the King of the French, had declared war against the King of Hungary and Bohemia, has been duly received, and laid before the President of the United States: and I am authorised to convey to you the expression of the sincere concern we feel, on learning that the French nation, to whose friendship and interests we have the strongest attachments, are now to encounter the evils of war. We offer our prayers to heaven that its duration may be short, and its course marked with as few as may be of those calamities which render the condition of war so afflicting to humanity; and we add assurances, that during its course we shall continue in the same friendly dispositions, and render all those good offices, which shall be consistent with the duties of a neutral nation.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,

Your most obedient and most humble servant,

Th. Jefferson.

TO MR. PINCKNEY.

Philadelphia, October 12, 1792.

Dear Sir,

Your favour of August the 7th came to hand on the 6th instant, and gave me the first certain information of your safe arrival. Mr. Otto being about to sail for London, furnishes me with an opportunity of sending the newspapers for yourself and Mr. Barclay, and I avail myself of it chiefly for this purpose, as my late return from Virginia, and the vacation of Congress, furnish little new and important for your information. With respect to the Indian war, the summer has been chiefly employed, on our part, in endeavouring to persuade them to peace, in an abstinence from all offensive operations, in order to give those endeavours a fairer chance, and in preparation for activity the ensuing season, if they fail. I believe we may say these endeavours have all failed, or probably will do so. The year has been rather a favourable one for our agriculture. The crops of small grain were generally good. Early frosts have a good deal shortened those of tobacco and Indian corn, yet not so as to endanger distress. From the south my information is less certain, but from that quarter you will be informed through other channels. I have a pleasure in noting this circumstance to you, because the difference between a plentiful and a scanty crop more than counterpoises the expenses of any campaign. Five or six plentiful years successively, as we have had, have most sensibly ameliorated the condition of our country; and uniform laws of commerce, introduced by our new government, have enabled us to draw the whole benefits of our agriculture.

I inclose you the copy of a letter from Messrs. Blow and Milhaddo, merchants of Virginia, complaining of the taking away of their sailors, on the coast of Africa, by the commander of a British armed vessel. So many instances of this kind have happened, that it is quite necessary that their government should explain themselves on the subject, and be led to disavow and punish such conduct. I leave to your discretion to endeavour to obtain this satisfaction by such friendly discussions as may be most likely to produce the desired effect, and secure to our commerce that protection against British violence, which it has never experienced from any other nation. No law forbids the seaman of any country to engage, in time of peace, on board a foreign vessel: no law authorises such seaman to break his contract, nor the armed vessels of his nation to interpose force for his rescue. I shall be happy to hear soon that Mr. B. has gone on the service on which he was ordered.

I have the honour to be, with great and sincere esteem,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO MESSRS. CARMICHAEL AND SHORT.

Philadelphia, October 14, 1792.

GENTLEMEN,

Since my letters of March the 18th, and April the 24th, (which have been retarded so unfortunately), another subject of conference and convention with Spain has occurred. You know that the frontiers of her provinces, as well as of our

States, are inhabited by Indians, holding justly the right of occupation, and leaving to Spain and to us only, the claim of excluding other nations from among them, and of becoming ourselves the purchasers of such portions of land, from time to time, as they choose to sell. We have thought that the dictates of interest, as well as humanity, enjoined mutual endeavours with those Indians to live in peace with both nations, and we have scrupulously observed that conduct. Our agent with the Indians bordering on the territories of Spain, has a standing instruction to use his best endeavours to prevent them from committing acts of hostility against the Spanish settlements. But whatever may have been the conduct or orders of the government of Spain, that of their officers in our neighbourhood has been indisputably unfriendly and hostile to us. The papers inclosed will demonstrate this to you. That the Baron de Carondelet, their chief Governor at New Orleans, has excited the Indians to war on us, that he has furnished them with abundance of arms and ammunition, and promised them whatever more shall be necessary, I have from the mouth of him who had it from his own mouth. In short, that he is the sole source of a great and serious war, now burst out upon us, and from Indians who, we know, were in peaceable dispositions towards us till prevailed on by him to commence the war, there remains scarcely room to doubt. It has become necessary that we understand the real policy of Spain, in this point. You will, therefore, be pleased to extract from the inclosed papers such facts as you think proper to be communicated to that court, and enter into friendly but serious expostulations on the conduct of their officers; for we have equal evidence against the commandants of other posts in West Florida, though they being subordinate to Carondelet, we name him as the source. If they disavow his conduct, we must naturally look to their treatment of him, as the sole evidence of their sincerity. But we must look further. It is a general rule, that no nation has a right to keep an agent within the limits of another, without the consent of that other, and we are satisfied it would be best for both Spain and us, to abstain from having agents or other persons in our employ or pay, among the savages inhabiting our respective territories, whether as subjects or independent. You are, therefore, desired to propose and press a stipulation to that effect. Should they absolutely decline it, it may be proper to let them perceive, that as the right of keeping agents exists on both sides, or on neither, it will rest with us to reciprocate their own measures. We confidently hope, that these proceedings are unauthorised by the government of Spain, and in this hope, we continue in the dispositions formerly expressed to you, of living on terms of friendship and harmony with that country, of making their interests, in our neighbourhood, our own, and of giving them every proof of this, except the abandonment of those essential rights which you are instructed to insist on.

I have the honour to be, with great and sincere esteem,
Gentlemen,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, October 15, 1792.

SIR,

I have received your favour of July the 10th, No. 4, but no other number preceding or subsequent. I fear, therefore, that some miscarriage has taken place. The present goes to Bordeaux under cover to Mr. Fenwick, who I hope will be able to give it a safe conveyance to you. I observe that you say in your letter, that 'the marine department is to treat with you for supplies to St. Domingo.' I presume you mean 'supplies of *money*,' and not that our government is to furnish supplies of *provisions*, &c., specifically, or employ others to do it: this being a business into which they could not enter. The payment of money here, to be employed by their own *agents* in purchasing the produce of our soil, is a desirable thing. We are informed by the public papers, that the late constitution of France, *formally notified to us*, is suspended, and a new convention called. During the time of this suspension, and while no legitimate government exists, we apprehend we cannot continue the payments of our debt to France, because there is no person authorised to receive it, and to give us an unobjectionable acquittal. You are therefore desired to consider the payment as suspended, until further orders. Should circumstances oblige you to mention this (which it is better to avoid if you can), do it with such solid reasons as will occur to yourself, and accompany it with the most friendly declarations that the suspension does not proceed from any wish in us to delay the payment, the contrary being our wish, nor from any desire to embarrass or oppose the settlement of their government in that way in which their nation shall desire it; but from our anxiety to pay this debt justly and honourably, and to the persons really authorised by the nation (to whom we owe it) to receive it for their use. Nor shall the suspension be continued one moment after we can see our way clear out of the difficulty into which their situation has thrown us. That they may speedily obtain liberty, peace, and tranquillity, is our sincere prayer. * * * * * *

I have the honour to be, with great respect and esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE TERNANT.

Philadelphia, October 16, 1792.

SIR,

I am to acknowledge the receipt of your letter of the 9th instant, proposing a stipulation for the abolition of the practice of privateering in times of war. The benevolence of this proposition is worthy of the nation from which it comes, and our sentiments on it have been declared in the treaty to which you are pleased to refer, as well as in some others which have been proposed. There are in those treaties some other principles which would probably meet the approbation of your government, as flowing from the same desire to lessen the occasions and the calamities of war. On all of these, as well as on those amendments to our treaty of commerce which might better its conditions with both nations, and which the National Assembly of France has likewise brought into view on a former occasion, we are ready to enter into negotiation with you, only proposing to take the whole into consideration at once. And while contemplating provisions which look to the event of war, we are happy in feeling a conviction that it is yet at a great distance from us, and in believing that the sentiments of sincere friendship which we bear to the nation of France are reciprocated on their part. Of these our dispositions, be so good as to assure them on this and all other occasions; and to accept yourself those sentiments of esteem and respect,

With which I have the honour to be,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MESSRS. VIAR AND JAUDENES, COMMISSIONERS OF SPAIN.

Philadelphia, November 1, 1792.

GENTLEMEN,

I have now to acknowledge the receipt of your favour of October the 29th, which I have duly laid before the President of the United States: and in answer thereto, I cannot but observe that some parts of its contents were truly unexpected. On what foundation it can be supposed that we have menaced the Creek nation with destruction during the present autumn, or at any other time, is entirely inconceivable. Our endeavours, on the contrary, to keep them at peace, have been earnest, persevering and notorious, and no expense has been spared which might attain that object. With the same views to peace, we have suspended, now more than a twelvemonth, the marking a boundary between them and us, which had been fairly, freely and solemnly established with the chiefs whom they had deputed to treat with us on that subject: we have suspended it, I say, in the constant hope that taking time to consider it in the councils of their nation, and recognising the justice and reciprocity of its conditions, they would at length freely concur in carrying it into execution. We agree with you, that the interests which either of us have in the proceedings of the other with this nation of Indians, is a proper subject of discussion at the negotiations to be opened at Madrid, and shall accordingly give the same in charge to our commissioners there. In the mean time, we shall continue sincerely to cultivate the peace and prosperity of all the parties, being constant in the opinion, that this conduct, reciprocally observed, will most increase the happiness of all.

I have the honour to be, with sentiments of great esteem and respect,

Gentlemen,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE PRESIDENT.

Philadelphia, November 2, 1792.

SIR,

The letter of October the 29th, from Messrs. Viar and Jaudenes, not expressing the principle on which their government interests itself between the United States and the Creeks, I thought it of importance to have it ascertained. I therefore called on those gentlemen, and entered into explanations with them. They assured me, in our conversation, that supposing all question of boundary to be out of the case, they did not imagine their government would think themselves authorised to take under their protection any nations of Indians living within limits confessed to be ours; and they presumed that any interference of theirs, with respect to the Creeks, could only arise out of the question of disputed territory, now existing between us: that, on this account, some part of our treaty with the Creeks had given dissatisfaction. They said, however, that they were speaking from their own sentiments only, having no instructions which would authorise them to declare those of their court: but that they expected an answer to their letters covering mine of July the 9th, (erroneously cited by them as of the 11th,) from which they would probably know the sentiments of their court. They accorded entirely in the opinion, that it would be better that the two nations should mutually endeavour to preserve each the peace of the other, as well as their own, with the neighbouring tribes of Indians.

I shall avail myself of the opportunity by a vessel which is to sail in a few days, of sending proper information and instructions to our commissioners on the subject of the late, as well as of future interferences of the Spanish officers to our prejudice with the Indians, and for the establishment of common rules of conduct for the two nations.

I have the honour to be, with the most perfect respect and attachment,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MESSRS. CARMICHAEL AND SHORT.

Philadelphia, November 3, 1792.

GENTLEMEN,

I wrote you on the 14th of last month; since which some other incidents and documents have occurred bearing relation to the subject of that letter. I therefore now inclose you a duplicate of that letter.

Copy of a letter from the Governor of Georgia, with the deposition it covered of a Mr. Hull, and an original passport signed by Olivier, wherein he styles himself commissary for his Catholic Majesty with the Creeks.

Copy of a letter from Messrs. Viar and Jaudenes to myself, dated October the 29th, with that of the extract of a letter of September the 24th, from the Baron de Carondelet to them.

Copy of my answer of No. 1 to them, and copy of a letter from myself to the President, stating a conversation with those gentlemen.

From those papers you will find that we have been constantly endeavouring, by every possible means, to keep peace with the Creeks; that in order to do this, we have even suspended, and still suspend, the running a fair boundary between them and us, as agreed on by themselves, and having for its object the precise definition of their and our lands, so as to prevent encroachment on either side, and that we have constantly endeavoured to keep them at peace with the Spanish settlements also. That Spain, on the contrary, or at least the officers of her governments, since the arrival of the Baron de Carondelet, have undertaken to keep an agent among the Creeks, have excited them and the other southern Indians to commence a war against us, have furnished them with arms and ammunition for the express purpose of carrying on that war, and prevented the Creeks from running the boundary which would have removed the cause of difference from between us. Messrs. Viar and Jaudenes explain the ground of interference on the fact of the Spanish claim to that territory, and on an article in our treaty with the Creeks, putting themselves under our protection. But besides that you already know the nullity of their pretended claim to the territory, they had themselves set the example of endeavouring to strengthen that claim by the treaty mentioned in the letter of the Baron de Carondelet, and by the employment of an agent among them. The establishment of our boundary committed to you, will, of course, remove the grounds of all future pretence to interfere with the Indians *within our territory*, and it was to such only that the treaty of New York stipulated protection: for we take for granted, that Spain will be ready to agree to the principle, that neither party has a right to stipulate protection or interference with the Indian nations inhabiting the territory of the other. But it is extremely material also, with sincerity and good faith, to patronise the peace of each other with the neighbouring savages. We are quite disposed to believe that the late wicked excitements to war have proceeded from the Baron de Carondelet himself, without authority from his court. But if so, have we not reason to expect the removal of such an officer from our neighbourhood, as an evidence of the disavowal of his proceedings? He has produced against us a serious war. He says in his letter, indeed, that he has suspended it. But this he has not done, nor possibly can he do it. The Indians are more easily engaged in a war than withdrawn from it. They have made the attack in force on our frontiers, whether with or without his consent, and will oblige us to a severe punishment of their aggression. We trust that you will be able to settle principles of a friendly concert between us and Spain, with respect to the neighbouring Indians: and if not, that you will endeavour to apprise us of what we may expect, that we may no longer be tied up by principles, which, in that case, would be inconsistent with duty and self-preservation.

I have the honour to be, with sentiments of perfect esteem and respect,

Gentlemen,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, November 7, 1792.

DEAR SIR,

My last to you was of the 15th of October; since which I have received your Nos. 1, 2, 3, 5, 6, 7. Though mine went by a conveyance directly to Bourdeaux, and may, therefore, probably get safe to you, yet I think it proper, lest it should miscarry, to repeat to you the following paragraph from it.

* * * * * *

I am perfectly sensible that your situation must, ere this reaches you, have been delicate and difficult; and though the occasion is probably over, and your part taken of necessity, so that instructions now would be too late, yet I think it just to express our sentiments on the subject, as a sanction of what you have probably done. Whenever the scene became personally dangerous to you, it was proper you should leave it, as well from personal as public motives. But what degree of danger should be awaited, to what distance or place you should retire, are circumstances which must rest with your own discretion, it being impossible to prescribe them from hence. With what kind of government you may do business, is another question. It accords with our principles to acknowledge any government to be rightful which is formed by the will of the nation, substantially declared. The late government was of this kind, and was accordingly acknowledged by all the branches of ours. So, any alteration of it which shall be made by the will of the nation, substantially declared, will doubtless be acknowledged in like manner. With such a government *every kind* of business may be done. But there are *some matters* which I conceive might be transacted with a government *de facto;* such, for instance, as the reforming the unfriendly restrictions on our commerce and navigation. Such cases you will readily distinguish as they occur. With respect to this particular reformation of their regulations, we cannot be too pressing for its attainment, as every day's continuance gives it additional firmness, and endangers its taking root in their habits and constitution: and, indeed, I think they should be told, as soon as they are in a condition to act, that if they do not revoke the late innovations, we must lay additional and equivalent burthens on *French ships*, by name. Your conduct in the case of M. de Bonne Carrere is approved entirely. We think it of great consequence to the friendship of the two nations to have a minister here, in whose dispositions we have confidence. Congress assembled the day before yesterday. I inclose you a paper containing the President's speech, whereby you will see the chief objects of the present session. Your difficulties as to the settlement of our accounts with France, and as to the payment of the foreign officers, will have been removed by the letter of the Secretary of the Treasury, of which, for fear it should have miscarried, I now inclose you a duplicate. Should a conveyance for the present letter offer to any port of France directly, your newspapers will accompany it. Otherwise, I shall send it through Mr. Pinckney, and retain the newspapers, as usual, for a direct conveyance.

I am, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE TERNANT.

Philadelphia, November 20, 1792.

SIR,

Your letter on the subject of further supplies to the colony of St. Domingo, has been duly received and considered. When the distresses of that colony first broke forth, we thought we could not better evidence our friendship to that and to the mother country also, than to step in to its relief, on your application, without waiting a formal authorization from the National Assembly. As the case was unforeseen, so it was unprovided for on their part, and we did what we doubted not they would have desired us to do, had there been time to make the application, and what we presumed they would sanction as soon as known to them. We have now been going on more than a twelvemonth, in making advances for the relief of the colony, without having, as yet, received any such sanction; for the decree of four millions of livres in aid of the colony, besides the circuitous and informal manner by which we became acquainted with it, describes and applies to operations very different from those which have actually taken place. The wants of the colony appear likely to continue, and their reliance on our supplies to become habitual. We feel every disposition to continue our efforts for administering to those wants; but that cautious attention to forms which would have been unfriendly in the first moment, becomes a duty to ourselves, when the business assumes the appearance of long continuance, and respectful also to the National Assembly itself, who have a right to prescribe the line of an interference so materially interesting to the mother country and the colony.

By the estimate you were pleased to deliver me, we perceive that there will be wanting, to carry the colony through the month of December, between thirty and forty thousand dollars, in addition to the sums before engaged to you. I am authorised to inform you, that the sum of forty thousand dollars shall be paid to your orders at the treasury of the United States, and to assure you, that we feel no abatement in our dispositions to contribute these aids from time to time, as they shall be wanting, for the necessary subsistence of the colony: but the want of express approbation from the national legislature must, ere long, produce a presumption that they contemplate, perhaps, other modes of relieving the colony, and dictate to us the propriety of doing only what they shall have regularly and previously sanctioned. Their decree, before mentioned, contemplates purchases made *in the United States only.* In this they might probably have in view, as well to keep the business of providing supplies under a single direction, as that these supplies should be bought where they can be had cheapest, and where the same sum will consequently effect the greatest measure of relief to the colony. It is our wish, as undoubtedly it must be yours, that the monies we furnish be applied strictly in the line they prescribe. We understand, however, that there are in the hands of our citizens, some bills drawn by the administration of the colony, for articles of subsistence *delivered there.* It seems just, that such of them should be paid as were received before *bona fide* notice that that mode of supply was not bottomed on the funds furnished to you by the United States, and we recommend them to you accordingly.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO MR. RUTHERFORD.

Philadelphia, December 25, 1792.

SIR,

I have considered, with all the attention which the shortness of the time would permit, the two motions which you were pleased to put into my hands yesterday afternoon, on the subject of weights and measures, now under reference to a committee of the Senate, and will take the liberty of making a few observations thereon.

The first, I presume, is intended as a basis for the adoption of that alternative of the report on measures and weights, which proposed retaining the present system, and fixing its several parts by a reference to a rod vibrating seconds, under the circumstances therein explained: and, to fulfil its object, I think the resolutions there proposed should be followed by this; 'that the standard by which the said measures of length, surface, and capacity shall be fixed, shall be an uniform cylindrical rod of iron, of such length, as in latitude forty-five degrees, in the level of the ocean, and in a cellar, or other place of uniform natural temperature, shall perform its vibrations in small and equal arcs, in one second of mean time: and that rain water be the substance, to some definite mass of which the said weights shall be referred.' Without this, the committee employed to prepare a bill on those resolutions, would be uninstructed as to the principle by which the Senate mean to fix their measures of length, and the substance by which they will fix their weights.

The second motion is a middle proposition between the first and the last alternatives in the report. It agrees with the first in some of the present measures and weights, and with the last, in compounding and dividing them decimally. If this should be thought best, I take the liberty of proposing the following alterations of these resolutions.

2nd. For 'metal' substitute 'iron.' The object is to have one determinate standard. But the different metals having different degrees of expansibility, there would be as many different standards as there are metals, were that generic term to be used. A specific one seems preferable, and 'iron' the best, because the least variable by expansion.

3rd. I should think it better to omit the chain of 66 feet, because it introduces a series which is not decimal, viz. 1. 66. 80., and because it is absolutely useless. As a measure of length, it is unknown to the mass of our citizens; and if retained for the purpose of superficial measure, the foot will supply its place, and fix the acre as in the fourth resolution.

4th. For the same reason I propose to omit the words 'or shall be ten chains in length and one in breadth.'

5th. This resolution would stand better, if it omitted the words 'shall be one foot square, and one foot and twenty cents of a foot deep, and,' because the second description is perfect, and too plain to need explanation. Or, if the first expression be preferred, the second may be omitted, as perfectly tautologous.

6th. I propose to leave out the words 'shall be equal to the pound avoirdupois now in use, and,' for the reasons suggested on the second resolution, to wit, that our object is to have one determinate standard. The pound avoirdupois now in use, is an indefinite thing. The committee of parliament reported variations among the standard weights of the exchequer. Different persons, weighing the cubic foot of water, have made it, some more, and some less than one thousand ounces avoirdupois; according as their weights had been tested by the lighter or heavier standard weights of the exchequer. If the pound now in use be declared a standard, as well as the weight of sixteen thousand cubic cents of a foot in water, it may hereafter, perhaps, be insisted that these two definitions are different; and that, being of equal authority, either may be used, and so the standard pound be rendered as uncertain as at present.

7th. For the same reasons I propose to omit the words 'equal to seven grains troy.' The true ratio between the avoirdupois and troy weights is a very contested one. The equation of seven thousand grains troy to the pound avoirdupois, is only one of several opinions, and is indebted perhaps to its integral form for its prevalence. The introduction either of the troy or avoirdupois weights into the definition of our unit, will throw that unit under the uncertainties now enveloping the troy and avoirdupois weights.

When the House of Representatives were pleased to refer to me the subject of weights and measures, I was uninformed as to the hypothesis on which I was to take it up; to wit, whether on that, that our citizens would not approve of any material change in the present system, or on the other, that they were ripe for a complete reformation. I therefore proposed plans for each alternative. In contemplating these, I had occasion to examine well all the middle grounds between the two, and among others which presented themselves to my mind, was the plan of establishing one of the known weights and measures as the unit in each class; to wit, in the measures of lines, of surfaces, and of solids, and in weights, and to compound and divide them decimally. In the measure of weights, I had thought of the ounce as the best unit, because, calling it the thousandth part of a cubic foot of water, it fell into the decimal series, formed a happy link of connection with the system of measures on the one side, and of coins on the other, by admitting an equality with the dollar, without changing the value of that or its alloy materially. But on the whole, I abandoned this middle proposition, on the supposition that if our fellow citizens were ripe for advancing so great a length towards reformation, as to retain only four known points of the very numerous series to which they were habituated, to wit, the foot, the acre, the bushel, and the ounce, abandoning all the multiples and subdivisions of them, or recurring for their value to the tables which would be formed, they would probably be ripe for taking the whole step, giving up these four points also, and making the reformation complete; and the rather, as in the present series and the one to be proposed, there would be so many points of very near approximation, as, aided in the same manner by tables, would not increase their difficulties, perhaps, indeed, would lessen them by the greater simplicity of the links by which the several members of the system are connected together. Perhaps, however, I was wrong in this supposition. The representatives of the people in Congress are alone competent to judge of the general disposition of the people, and to what precise point of reformation they are ready to go. On this, therefore, I do not presume to give an opinion, nor to pronounce between the comparative expediency of the three propositions; but shall be ready to give whatever aid I can to any of them which shall be adopted by the legislature.

I have the honour to be, with perfect respect,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Philadelphia, January 2, 1793.

SIR,

According to the Resolution of the House of Representatives, of the 31st of December, delivered to me yesterday, I have the honour to lay before you a list of the several persons employed in my office, with the salaries allowed to each, as follows:

	Dollars.
George Taylor, jr. (of New York), chief clerk, his salary fixed by law	800
Jacob Blackwell (of New York), clerk . . .	500
George Pfeiffer (of Pennsylvania), clerk . .	500
Philip Freneau (of New York), clerk for foreign languages	250
Sampson Crosby (of Massachusetts), messenger and office-keeper	250

The act of Congress of June the 4th, 1790, c. 18, allowed me an additional clerk with the same salary as the chief clerk. After the retirement of the person first appointed, whose services had been particularly desirable, because of his long and intimate acquaintance with the papers of the office, it did not appear necessary to make further use of the indulgence of that law. No new appointment, therefore, has been made.

The clerk for foreign languages has but half the usual salary. I found his clerkship on this establishment when I came into office, and made no change in it, except that, in the time of his predecessor, when translations were required from any language with which he was unacquainted, they were sent to a special translator, and paid for by the public. The present clerk is required to defray this expense himself.

I have the honour to be, with the most perfect respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

Circular to the Ministers of France, the United Netherlands, Great Britain, &c.

Philadelphia, February 13, 1793.

SIR,

The House of Representatives having referred to me, to report to them the nature and extent of the privileges and restrictions on the commerce of the United States with foreign nations, I have accordingly prepared a report on that subject. Being particularly anxious that it may be exact in matters of fact, I take the liberty of putting into your hands, *privately and informally*, an extract of such as relate to our commerce with your nation, in hopes that if you can either enlarge or correct them, you will do me that favour. It is safer to suppress an error in its first conception, than to trust to any after correction; and a confidence in your sincere desire to communicate or to re-establish any truths which may contribute to a perfect understanding between our two nations, has induced me to make the present request. I wish it had been in my power to have done this sooner, and thereby have obtained the benefit of your having more time to contemplate it: but circumstances have retarded the entire completion of the report till the Congress is approaching its end, which will oblige me to give it in within three or four days.

I am, with great and sincere esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

P. S. The report having been prepared before the late diminution of the duties on our tobacco, that circumstance will be noted in the letter which will cover the report. T. J.

France receives favourably our bread stuff, rice, wood, pot and pearl ashes.

A duty of five sous the kental, or nearly four and a half cents, is paid on our tar, pitch, and turpentine. Our whale oils pay six livres the kental, and are the only whale oils admitted. Our indigo pays five livres the kental, their own two and a half; but a difference of quality, still more than a difference of duty, prevents its seeking that market.

Salted beef is received freely for re-exportation; but if for home consumption, it pays five livres the kental. Other salted provisions pay that duty in all cases, and salted fish is made lately to pay the prohibitory one, of twenty livres the kental.

Our ships are free to carry thither all foreign goods, which may be carried in their own or any other vessels, except tobaccos not of our own growth: and they participate with theirs, the exclusive carriage of our whale oils.

During their former government, our tobacco was under a monopoly, but paid no duties; and our ships were freely sold in their ports and converted into national bottoms. The first National Assembly took from our ships this privilege. They emancipated tobacco from its monopoly, but subjected it to duties of eighteen livres fifteen sous the kental, carried in their own vessels, and twenty-five livres, carried in ours; a difference more than equal to the freight of the article.

They and their colonies consume what they receive from us.

France, by a standing law, permits her West India possessions to receive directly our vegetables, live provisions, horses, wood, tar, pitch, and turpentine, rice, and maize, and prohibits our other bread stuff: but a suspension of this prohibition having been left to the colonial legislature, in times of scarcity, it was formerly suspended occasionally, but latterly without interruption.

Our fish and salted provisions (except pork) are received in their islands, under a duty of three colonial livres the kental, and our vessels are as free as their own to carry our commodities thither, and to bring away rum and molasses.

The *United Netherlands* prohibit our pickled beef and pork, meals, and bread of all sorts, and lay a prohibitory duty on spirits distilled from grain.

All other of our productions are received on varied duties, which may be reckoned, on a medium, at about three per cent.

They consume but a small proportion of what they receive. The residue is partly forwarded for consumption in the inland parts of Europe, and partly re-shipped to other maritime countries. On the latter portion, they intercept between us and the consumer, so much of the real value as is absorbed by the charges attending an intermediate deposite.

Foreign goods, except some East India articles, are received in the vessels of any nation.

Our ships may be sold and naturalized there, with exceptions of one or two privileges, which scarcely lessen their value.

In the American possessions of the United Netherlands, and Sweden, our vessels and produce are received, subject to duties, not so heavy as to have been complained of.

Great Britain receives our pot and pearl ashes free, while those of other nations pay a duty of two shillings and three pence the kental. There is an equal distinction in favour of our bar iron, of which article, however, we do not produce enough for our own use. Woods are free from us, whilst they pay some small duty from other countries. Indigo and flaxseed are free from all countries. Our tar and pitch pay elevenpence sterling the barrel. From other alien countries they pay about a penny and a third more.

Our tobacco, for their own consumption, pays one shilling and threepence sterling the pound, custom and excise, besides heavy expenses of collection; and rice, in the same case, pays seven shillings and fourpence sterling the hundred weight, which rendering it too dear as an article of common food, it is consequently used in very small quantity.

Our salted fish, and other salted provisions, except bacon, are prohibited. Bacon and whale oils are under prohibitory duties: so are our grains, meals and bread, as to internal consumption, unless in times of such scarcity as may raise the price of wheat to fifty shillings sterling the quarter, and other grains and meals in proportion.

Our ships, though purchased and navigated by their own subjects, are not permitted to be used, even in their trade with us.

While the vessels of other nations are secured by standing laws, which cannot be altered but by the concurrent will of the three branches of the British legislature, in carrying thither any produce or manufacture of the country to which they belong, which may be lawfully carried in any vessels, ours, with the same prohibition of what is foreign, are further prohibited by a standing law (12 Car. 2. c. 18. s. 3.) from carrying thither all and any of our domestic productions and manufactures. A subsequent act, indeed, has authorised their executive to permit the carriage of our own productions in our own bottoms, at its sole discretion: and the permission has been given from year to year, by proclamation; but subject every moment to be withdrawn on that single will, in which event, our vessels having any thing on board, stand interdicted from the entry of all British ports. The disadvantage of a tenure which may be so suddenly discontinued, was experienced by our merchants on a late occasion, when an official notification that this law would be strictly enforced, gave them just apprehensions for the fate of their vessels and cargoes despatched or destined to the ports of Great Britain. It was privately believed, indeed, that the order of that court went further than their intention, and so we were, afterwards, officially informed; but the embarrassments of the moment were real and great, and the possibility of the renewal lays our commerce to that country under the same species of discouragement, as to other countries where it is regulated by a single legislator; and the distinction is too remarkable not to be noticed, that our navigation is excluded from the security of fixed laws, while that security is given to the navigation of others.

Our vessels pay in their ports one shilling and ninepence sterling per ton, light and Trinity dues, more than is paid by British ships, except in the port of London, where they pay the same as British.

The greater part of what they receive from us is re-exported to other countries, under the useless charges of an intermediate deposite and double voyage.

From tables published in England, and composed, as is said, from the books of their Custom Houses, it appears, that of the indigo imported there in the years 1773–4–5, one third was re-exported; and from a document of authority, we learn that of the rice and tobacco imported there before the war, four fifths were re-exported. We are assured, indeed, that the quantities sent thither for re-exportation since the war, are considerably diminished; yet less so than reason and national interest would dictate. The whole of our grain is re-exported, when wheat is below fifty shillings the quarter, and other grains in proportion.

Great Britain admits in her islands our vegetables, live provisions, horses, wood, tar, pitch and turpentine, rice and bread stuff, by a proclamation of her executive, limited always to the term of a year, but hitherto renewed from year to year. She prohibits our salted fish and other salted provisions. She does not permit our vessels to carry thither our own produce. Her vessels alone may take it from us, and bring in exchange, rum, molasses, sugar, coffee, cocoa nuts, ginger, and pimento. There are, indeed, some freedoms in the island of Dominica, but under such circumstances as to be little used by us. In the British continental colonies, and in Newfoundland, all our productions are prohibited, and our vessels forbidden to enter their ports. Their Governors, however, in times of distress, have power to permit a temporary importation of certain articles in their own bottoms, but not in ours.

Our citizens cannot reside as merchants or factors within any of the British plantations, this being expressly prohibited by the same statute of 12 Car. 2. c. 18, commonly called their navigation act.

Of our commercial objects, *Spain* receives favourably our bread stuff, salted fish, wood, ships, tar, pitch, and turpentine. On our meals, however, when re-exported to their colonies, they have lately imposed duties, of from half a dollar to two dollars the barrel, the duties being so proportioned to the current price of their own flour, as that both together are to make the constant sum of nine dollars per barrel.

They do not discourage our rice, pot and pearl ash, salted provisions, or whale oil: but these articles being in small demand at their markets, are carried thither but in a small degree. Their demand for rice, however, is increasing. Neither tobacco nor indigo are received there.

Themselves and their colonies are the actual consumers of what they receive from us.

Our navigation is free with the kingdom of Spain, foreign goods being received there in our ships on the same conditions as if carried in their own, or in the vessels of the country of which such goods are the manufacture or produce.

Spain and *Portugal* refuse to those parts of America which they govern, all direct intercourse with any people but themselves. The commodities in mutual demand between them and their neighbours, must be carried to be exchanged in some port of the dominant country, and the transportation between that and the subject state, must be in a domestic bottom.

TO MR. HAMMOND.

Philadelphia, February 16, 1793.

SIR,

I have duly received your letter of yesterday, with the statement of the duties payable on articles imported into Great Britain. The object of the report, from which I had communicated some extracts to you, not requiring a minute detail of the several duties on every article, in every country, I had presented both articles and duties in groups, and in general terms, conveying information sufficiently accurate for the object. And I have the satisfaction to find, on re-examining the expressions in the report, that they correspond with your statement as nearly as generals can with particulars. The differences which any nation makes between our commodities and those of other countries, whether favourable or unfavourable to us, were proper to be noted. But they were subordinate to the more important questions, what countries *consume* most of our produce, exact the lightest duties, and leave to us the most favourable balance?

You seem to think that in the mention made of your *official* communication of April the 11th, 1792, that the clause in the navigation act (prohibiting our own produce to be carried in our own vessels into the British Eurôpean dominions) would be strictly enforced in future, and the *private belief* expressed at the same time, that the intention of that court did not go so far, that the latter terms are not sufficiently accurate. About the fact it is impossible we should differ, because it is a written one. The only difference then, must be a merely verbal one. For thus stands the fact. In your letter of April the 11th, you say, you have received by a circular despatch from your court, directions to inform this government that it had been determined in future strictly to enforce this clause of the navigation act. This I considered as an *official* notification. In your answer of April the 12th, to my request of explanation, you say, ‘ In answer to your letter of this day, I have the honour of observing that I have no other instructions upon the subject of my communication, than such as are contained in the circular despatch, of which I stated the purport in my letter dated yesterday. I have, however, no difficulty in assuring you, that the result of my *personal conviction* is, that the determination of his Majesty's government to enforce the clause of the act, &c. is not intended to militate against the proclamation,'

&c. This *personal conviction* is expressed in the report as a *private belief*, in contradistinction to the *official* declaration. In your letter of yesterday, you chose to call it 'a formal assurance of your conviction.' As I am not scrupulous about words when they are once explained, I feel no difficulty in substituting in the report your own words, '*personal conviction*,' for those of '*private belief*,' which I had thought equivalent. I cannot indeed insert that it was a *formal* assurance, lest some readers might confound this with an *official* one, without reflecting that you could not mean to give *official* assurance that the clause would be enforced, and *official* assurance, at the same time, of your personal conviction that it would not be enforced.

I had the honour to acknowledge verbally the receipt of your letter of the 3rd of August, when you did me that of making the inquiry verbally about six weeks ago; and I beg leave to assure you, that

I am, with due respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE TERNANT.

Philadelphia, February 17, 1793.

SIR,

I have duly received your letter of yesterday, and am sensible of your favour in furnishing me with your observations on the statement of the commerce between our two nations, of which I shall avail myself for the good of both. The omission of our participation with your vessels, in the exclusive transportation of our tobacco, was merely that of the copy, as it was expressed in the original draught where the same circumstance respecting our whale oil was noted: and I am happy that your notice of it has enabled me to reinstate it before the report goes out of my hand.

I must candidly acknowledge to you, that I do not foresee the same effect in favour of our navigation, from the late reduction of duties on our tobaccos in France, which you seem to expect. The difference in favour of French vessels is still so great, as, in my opinion, to make it their interest to quit all other branches of the carrying business, to take up this; and as your stock of shipping is not adequate to the carriage of all your exports, the branches which you abandon will be taken up by other nations: so that this difference thrusts us out of the tobacco carriage, to let other nations in to the carriage of other branches of your commerce. I must therefore avail myself of this occasion to express my hope, that your nation will again revise this subject, and place it on more equal grounds. I am happy in concurring with you more perfectly in another sentiment, that as the principles of our governments become more congenial, the links of affection are multiplied between us. It is impossible they should multiply beyond our wishes. Of the sincere interest we take in the happiness and prosperity of your nation, you have had the most unequivocal proofs.

I pray you to accept the assurances of sincere attachment to you personally, and of the sentiments of respect and esteem, with which I am,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO M. DE TERNANT.

Philadelphia, February 20, 1793.

SIR,

I have laid before the President of the United States your notification of the 17th instant, in the name of the Provisory Executive Council charged with the administration of your government, that the French nation has constituted itself into a republic. The President receives with great satisfaction this attention of the Executive Council, and the desire they have manifested of making known to us the resolution entered into by the National Convention, even before a definitive regulation of their new establishment could take place. Be assured, Sir, that the government and the citizens of the United States, view, with the most sincere pleasure, every advance of your nation towards its happiness, an object essentially connected with its liberty, and they consider the union of principles and pursuits between our two countries, as a link which binds still closer their interests and affections. We earnestly wish on our part, that these our natural dispositions may be improved to mutual good, by establishing our commercial intercourse on principles as friendly to natural right and freedom, as are those of our governments.

I am, with sincere esteem and respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Philadelphia, February 20, 1793.

SIR,

The House of Representatives, about the close of the session before the last, referred to me the report of a committee on a message from the President of the United States, of the 14th of February, 1791, with directions to report to Congress the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, and measures for its improvement. The report was accordingly prepared during the ensuing recess, ready to be delivered at the next session, that is to say, at the last. It was thought possible at that time, however, that some changes might take place in the existing state of things, which might call for corresponding changes in measures. I took the liberty of mentioning this in a letter to the Speaker of the House of Representatives, to express an opinion that a suspension of proceedings thereon, for a time, might be expedient, and to propose retaining the report till the present session, unless the House should be pleased to signify their pleasure to the contrary. The changes then contemplated have not taken place, nor, after waiting as long as the term of the session will admit, in order to learn something further on the subject, can any thing definite thereon be now said. If, therefore, the House wishes to proceed on the subject, the report shall be delivered at a moment's warning. Should they not choose to take it up till their next session, it will be an advantage to be permitted to keep it by me till then, as some further particulars may perhaps be procured relative to certain parts of our commerce, of which precise information is difficult to obtain. I make this suggestion, however, with the most perfect deference to their will, the first intimation of which shall be obeyed on my part, so as to occasion them no delay.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, March 12, 1793.

DEAR SIR,

Your Nos. 8 to 13, inclusive, have been duly received. I am sensible that your situation must have been difficult during the transition from the late form of government to the re-establishment of some other legitimate authority, and that you may have been at a loss to determine with whom business might be done. Nevertheless, when principles are well understood, their application is less embarrassing. We surely cannot deny to any nation that right whereon our own government is founded, that every one may govern itself according to whatever form it pleases, and change these forms at its own will; and that it may transact its business with foreign nations through whatever organ it thinks proper, whether King, Convention, Assembly, Committee, President, or any thing else it may choose. The will of the nation is the only thing essential to be regarded. On the dissolution of the late constitution in France, by removing so integral a part of it as the King, the National Assembly, to whom a part only of the public authority had been delegated, appear to have considered themselves as incompetent to transact the affairs of the nation legitimately. They invited their fellow citizens, therefore, to appoint a National Convention. In conformity with this their idea of the defective state of the national authority, you were desired from hence to suspend further payments of our debt to France till new orders, with an assurance, however, to the acting power, that the suspension should not be continued a moment longer than should be necessary for us to see the re-establishment of some person or body of persons authorized to receive payment and give us a good acquittal; (if you should find it necessary to give any assurance or explanation at all.) In the mean time, we went on paying up the four millions of livres which had been destined by the last constituted authorities to the relief of St. Domingo. Before this was completed, we received information that a National Assembly had met, with full powers to transact the affairs of the nation, and soon afterwards, the minister of France here presented an application for three millions of livres, to be laid out in provisions to be sent to France. Urged by the strongest attachment to that country, and thinking it even providential that monies lent to us in distress, could be repaid under like circumstances, we had no hesitation to comply with the application, and arrangements are accordingly taken, for furnishing this sum at epochs accommodated to the demand and our means of paying it. We suppose this will rather overpay the instalments and interest due on the loans of eighteen, six, and ten millions, to the end of 1792; and we shall certainly use our utmost endeavours to make punctual payments of the instalments and interest hereafter becoming exigible, and to omit no opportunity of convincing that nation how cordially we wish to serve them. Mutual good offices, mutual affection, and similar principles of government, seem to destine the two nations for the most intimate communion: and I cannot too much press it on you, to improve every opportunity which may occur in the changeable scenes which are passing, and to seize them as they occur, for placing our commerce with that nation and its dependencies, on the freest and most encouraging footing possible.

Besides what we have furnished publicly for the relief of St. Domingo, individual merchants of the United States have carried considerable supplies thither, which have been sometimes purchased, sometimes taken by force, and bills given by the administration of the colony on the minister here, which have been protested for want of funds. We have no doubt that justice will be done to these our citizens, and that without a delay which would be ruinous to them. We wish authority to be given to the minister of France here to pay the just demands of our citizens, out of the monies he may receive from us.

During the fluctuating state of the *assignats* of France, I must ask the favour of you to inform me, in every letter, of the rate of exchange between them and coin, this being necessary for the regulation of our Custom Houses.

Congress closed its session on the 2nd instant. You will see their acts in the newspapers forwarded to you, and the body of them shall be sent as soon as the octavo edition is printed. We are to hold a treaty with the western Indians in the ensuing month of May, but not under very hopeful auspices.

You will perceive by the newspapers a remarkable fall in the price of our public paper. This is owing chiefly to the extraordinary demand for the produce of our country, and a temporary scarcity of cash to purchase it. The merchants holding public paper are obliged to part with it at any price, to raise money.

I sent you, by the way of London, a dozen plans of the city of Washington, in the federal territory, hoping you would have them displayed to public view, where they would be most seen by those descriptions of men worthy and likely to be attracted to it. Paris, Lyons, Rouen, and the seaport towns of Havre, Nantes, Bourdeaux, and Marseilles, would be proper places to send some of them. I trust to Mr. Taylor to forward you the newspapers by every direct occasion to France. These are rare at all times, and especially in the winter: and to send them through England would cost too much in postage. To these circumstances, as well, probably, as to some miscarriages, you must ascribe the length of intervals sometimes experienced in the receipt of your papers.

I have the honour to be, with great esteem and respect,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, March 15, 1793.

DEAR SIR,

The President has seen with satisfaction, that the ministers of the United States in Europe, while they have avoided an useless commitment of their nation on the subject of the Marquis de la Fayette, have nevertheless shewn themselves attentive to his situation. The interest which the President himself, and our citizens in general, take in the welfare of this gentleman, is great and sincere, and will entirely justify all prudent efforts to serve him. I am therefore to desire, that you will avail yourself of every opportunity of sounding the way towards his liberation, of finding out whether those in whose power he is are very tenacious of him, of insinuating through such channels as you shall think suitable, the attentions of the government and people of the United States to this object, and the interest they take in it, and of procuring his liberation by informal solicitations, if possible. But if formal ones be necessary, and the moment should arrive when you shall find that they will be effectual, you are authorized to signify, through such channel as you shall find suitable, that our government and nation, faithful in their attachments to this gentlemen for the services he has rendered them, feel a lively interest in his welfare, and will view his liberation as a mark of consideration and friendship for the United States, and as a new motive for esteem and a reciprocation of kind offices towards the power to whom they shall be indebted for this act.

A like letter being written to Mr. Pinckney, you will of course take care, that however you may act through different channels, there will be still a sufficient degree of concert in your proceedings.

I am, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. PINCKNEY.

Philadelphia, March 16, 1793.

DEAR SIR,

I wrote you on the 30th of December, and again a short letter on the 1st of January, since which I have received yours of October the 2nd and 5th, November the 6th and 9th, and December the 13th, 14th, 15th. I now inclose you the Treasurer's second of exchange for twenty-four thousand seven hundred and fifty guilders, to be employed in the purchase of copper for the mint, from Sweden, or wherever else it can be got on the best terms; the first of exchange having been inclosed in my letter of December the 30th.

I am in hopes you will have been able to enter into proper arrangements with the British minister for the protection of our seamen from impressment, before the preparations for war shall have produced inconvenience to them. While he regards so minutely the inconveniences to themselves which may result from a due regulation of this practice, it is just he should regard our inconveniences also, from the want of it. His observations in your letter imply merely, that if they should abstain from injuring us, it might be attended with inconvenience to themselves.

You ask, what should be your conduct, in case you should at any time discover negotiations to be going on, which might eventually be interesting to us? The nature of the particular case will point out what measures, on your part, would be the most for our interest, and to your discretion we must refer the taking such measures, without waiting for instructions, where circumstances would not admit of such a delay. A like necessity to act may arise on other occasions. In the changeable scenes, for instance, which are passing in Europe, were a moment to offer when you could obtain any advantage for our commerce, and especially in the American colonies, you are desired to avail us of it to the best advantage, and not to let the occasion slip by for want of previous instruction.

You ask, what encouragements are given to emigrants by the several States? No other than a permission to become citizens, and to participate of the rights of citizens, except as to eligibility to certain offices in the government. The rules, as to these, are not uniform in the States. I have found it absolutely impracticable to obtain, even for my office, a regular transmission of the laws of the several States; consequently, it would be more so to furnish them to our ministers abroad. You will receive by this, or the first proper conveyance, those of Congress, passed at their last session.

It is impossible for me to give any authority for the advance of monies to Mr. Wilson. Were we to do it in his case, we should, on the same principles, be obliged to do it in several others wherein foreign nations decline or delay doing justice to our citizens. No law of the United States would cover such an act of the executive; and all we can do legally, is, to give him all the aid which our patronage of his claims, with the British court, can effect.

With respect to the payment of your allowances, as the laws authorize the payment of a given number of dollars to you, and as your duties place you in London, I suppose we are to pay you *the dollars* there, or other money of equal value, estimated by the par of the metals. Such has, accordingly, been the practice ever since the close of the war. Your powers to draw on our bankers in Holland, will leave you the master of fixing your drafts by this standard.

The transactions of Europe are now so interesting, that I should be obliged to you, every week, to put the Leyden Gazettes of the week under cover to me; and put them into such ship's bag as shall be first coming to any port north of North Carolina.

Mr. Barclay's death is just made known to us, and measures are taking in consequence of it.

You will perceive by the newspapers, a remarkable fall in the price of our public paper. This is owing chiefly to the extraordinary demand for the produce of our country, and a temporary scarcity of cash to purchase it. The merchants holding public paper are obliged to part with it at any price, to raise money.

I am, with much respect,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO COLONEL HUMPHREYS.

Philadelphia, March 21, 1793.

SIR,

The death of Admiral Paul Jones first, and afterwards of Mr. Barclay, to whom the mission to Algiers, explained in the inclosed papers, was successively confided, have led the President to desire you to undertake the execution of it in person. These papers, being copies of what had been delivered to them, will serve as your guide. But Mr. Barclay having been also charged with a mission to Morocco, it will be necessary to give you some trouble with respect to that also.

Mr. Nathaniel Cutting, the bearer hereof, is despatched specially, first to receive from Mr. Pinckney in London any papers or information, which his agency in the Algerine business may have enabled him to communicate to you: he will then proceed to deliver the whole to you, and accompany and aid you in the character of secretary.

It is thought necessary that you should, in the first instance, settle Mr. Barclay's accounts respecting the Morocco mission, which will probably render it necessary that you should go to Gibraltar. The communications you have had with Mr. Barclay in this mission, will assist you in your endeavours at a settlement. You know the sum received by Mr. Barclay on that account, and we wish as exact a statement as can be made of the manner in which it has been laid out, and what part of its proceeds is now on hand. You will be pleased to make an inventory of these proceeds now existing. If they or any part of them can be used for the Algerine mission, we would have you by all means apply them to that use, debiting the Algerine fund, and crediting that of Morocco with the amount of such application. If they cannot be so used, then dispose of the perishable articles to the best advantage, and if you can sell those not perishable for what they cost, do so, and what you cannot so sell, deposit in any safe place under your own power. In this last stage of the business, return us an exact account, 1. of the specific articles remaining on hand for that mission, and their value. 2. Of its cash on hand. 3. Of any money which may be due to or from Mr. Barclay, or any other person on account of this mission: and take measures for replacing the clear balance of cash in the hands of Messrs. W. and J. Willincks, and Nicholas and Jacob Van Staphorsts and Hubard.

This matter being settled, you will be pleased to proceed on the mission to Algiers. This you will do by the way of Madrid, if you think any information you can get from Mr. Carmichael or any other, may be an equivalent for the trouble, expense, and delay of the journey. If not, proceed in whatever other way you please to Algiers.

Proper powers and credentials for you, addressed to that government, are herewith inclosed. The instructions first given to Admiral Paul Jones are so full that no others need be added, except a qualification in one single article, to wit: should that government finally reject peace on the terms in *money*, to which you are authorized to go, you may offer to make the first payments for peace and that for ransom in *naval stores*, reserving the right to make the subsequent annual payments in money.

You are to be allowed your travelling expenses, your salary as minister resident in Portugal going on. Those expenses must be debited to the Algerine mission, and not carried into your ordinary account as resident. Mr. Cutting is allowed one hundred dollars a month, and his expenses, which, as soon as he joins you, will of course be consolidated with yours. We have made choice of him as particularly qualified to aid, under your direction, in the matters of account, with which he is well acquainted. He receives here an advance of one thousand dollars, by a draft on our bankers in Holland, in whose hands the fund is deposited. This, and all other sums furnished him, to be debited to the Algerine fund. I inclose you a letter to our bankers giving you complete authority over these funds, which you had better send with your first draft, though I send a copy of it from hence by another opportunity.

This business being done, you will be pleased to return to Lisbon, and to keep yourself and us, thereafter, well informed of the transactions in Morocco; and as soon as you shall find that the succession to that government is settled and stable, so that we may know to whom a commissioner may be addressed, be so good as to give us the information, that we may take measures in consequence.

I have the honour to be, with much respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO COLONEL HUMPHREYS.

Philadelphia, March 22, 1793.

DEAR SIR,

I have to acknowledge the receipt of your letters from No. 60 to 67, inclusive. You cannot be too vigilant against any such treaty as that mentioned in No. 60, which, by giving the exclusive supply of wheat to Naples, would altogether debar the United States from it. This would bear so hard on us, that not only an exclusion of their wines from the United States ought to be expected on their part, but every other measure which might open to us a market *in any other part of the world*, however Portugal might be affected by it. And I must for ever repeat it, that, instead of excluding our *wheat*, we must continue to hope that they will open their ports to our *flour*, and that you will continue to use your efforts, on every good occasion, to obtain this without waiting for a treaty.

As there appears at present a probability of a very general war in Europe, you will be pleased to be particularly attentive to preserve for our vessels all the rights of neutrality, and to endeavour that our flag be not usurped by others to procure to themselves the benefits of our neutrality. This usurpation tends to commit us with foreign nations, to subject those vessels truly ours to rigorous scrutinies and delays, to distinguish them from counterfeits, and to take the business of transportation out of our hands.

Continue, if you please, your intelligence relative to the affairs of Spain, from whence we learn nothing but through you: to which it will be acceptable that you add any leading events from other countries, as we have several times received important facts through you, even from London, sooner than they have come from London directly.

The letters inclosed for Mr. Carmichael and Mr. Short are of a very secret nature. If you go by Madrid, you will be the bearer of them yourself; if not, it would be better to retain them than to send them by any conveyance which does not command your entire confidence. I have never yet had a letter from Mr. Carmichael but the one you brought from Madrid. A particular circumstance will occasion forbearance yet a little longer.

Captain Cutting will bring you a copy of the laws of the last session of Congress, and of the gazettes to the time of his departure.

Not yet knowing the actual arrival of Mr. Church at Lisbon, I believe it will be safer that I direct letters for you, during your absence, to Messrs. Bulkeley and Son, with whom you will leave what directions on the subject you shall think proper.

I am, with great and sincere esteem and respect,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

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* TO MESSRS. CARMICHAEL AND SHORT.

Philadelphia, March 23, 1793.

GENTLEMEN,

It is intimated to us, in such a way as to attract our attention, that France means to send a strong force early this spring to offer independence to the Spanish American colonies, beginning with those on the Mississippi; and that she will not object to the receiving those on the east side into our confederation. Interesting considerations require, that we should keep ourselves free to act in this case according to circumstances, and consequently, that you should not, by any clause of treaty, bind us to guarantee any of the Spanish colonies against their own independence, nor indeed against any other nation. For when we thought we might guarantee Louisiana, on their ceding the Floridas to us, we apprehended it would be seized by Great Britain, who would thus completely encircle us with her colonies and fleets. This danger is now removed by the concert between Great Britain and Spain; and the times will soon enough give independence, and, consequently, free commerce to our neighbours, without our risking the involving ourselves in a war for them.

I am, with great respect and esteem, your most obedient humble servant,

TH. JEFFERSON.

† The above meets the approbation of
GEORGE WASHINGTON.

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* This letter was in cypher, but a literal copy of it preserved.

† This is in the hand writing of General Washington.

TO MR HAMMOND.

Philadelphia, April 18, 1793.

Sir,

I have now the honour to inclose you the answer of the Attorney-General to my letter covering yours of March the 12th, on the case of Hooper and Pagan, wherein he has stated the proceedings of Pagan for obtaining a writ of error from the Supreme Court of the United States, for revisal of the judgment of the inferior court pronounced against him; and also, his opinion on the merits of the question, had the writ of error been procured, and the merits thereby been brought into question. From this statement you will be able to judge whether Pagan has, *boná fide*, complied with the rule which requires that a foreigner, before he applies for extraordinary interposition, should use his best endeavours to obtain the justice he claims from the ordinary tribunals of the country. You will perceive, also, that had the writ been pressed for and obtained, and the substantial justice of Pagan's claim thereby brought into discussion, substantial justice would have been against him, according to the opinion of the Attorney-General, according to the uniform decisions of the courts of the United States, even in the cases of their own citizens, and according to the decision of this very case in the British provincial court, where the evidence was taken and the trial first had. This does not appear, then, to be one of those cases of gross and palpable wrong, ascribable only to wickedness of the heart, and not to error of the head, in the judges who have decided on it, and founding a claim of national satisfaction. At least, that it is so, remains yet to be demonstrated.

The readiness with which the government of the United States has entered into inquiries concerning the case of Mr. Pagan, even before that case was ripe for their interposition, according to ordinary rules, will, I hope, satisfy you that they would, with equal readiness, have done for the redress of his case, whatever the laws and constitution would have permitted them to do, had it appeared in the result that their courts had been guilty of partiality or other gross wrong against Mr. Pagan. On the contrary, it is hoped, that the marked attentions which have been shewn to him by the government of Massachusetts, as well as by that of the United States, have evinced the most scrupulous dispositions to patronise and effectuate his right, had right been on his side.

I have the honour to be, with due respect,

Sir,

Your most humble servant,

TH. JEFFERSON.

[The letter of the Attorney-General, referred to in the preceding.]

TO THE SECRETARY OF STATE.

Philadelphia, April 12, 1793.

SIR,

You will perceive from the two letters marked A. and B., of which I inclose copies, that the subject of Mr. Pagan has been for some time in my view. The former of those letters being intended for you, and containing a summary of facts, I determined to shew it to Mr. Tilghman, who was Pagan's counsel, before it was sent to you, in order that he might correct any misstatement. This produced the latter letter from him to me; and I have thought it more advisable to forward both of them to you, even in the unfinished state of my own, than to reduce the case into a form which might be supposed to be less accurate.

As I do not discover an essential difference between Mr. Tilghman and myself, I shall not discuss any seeming variance, but proceed upon his ideas.

It is too obvious to require a diffusive exposition, that the application for a writ of error was not only prudent, but a duty in Pagan. To this Mr. Tilghman explicitly assents, when he says, that he was perfectly 'satisfied of the prudence of applying for the writ of error, as Pagan could not complain of a defect of justice, until he had tried the writ of error, and found that mode ineffectual.' This remark becomes the more important, as it manifests that the process was not suggested as an expedient for shifting any burthen from the government. Indeed I may with truth add, that the proceedings, taken collectively, appeared to me to present a sufficient intimation of the main question, to serve as a ground of decision.

However, take the case under either aspect: as excluding the consideration of the main question by an omission in the pleadings and record; or as exhibiting it fully to the cognizance of the court.

It never was pretended that a writ of error ought to have been granted, unless the matter was apparent on the record. Whose office was it to make it thus apparent? Of the attorney who managed the pleadings. If, therefore, he has failed to do so, we may presume that he considered the ground untenable, or was guilty of inattention. Either presumption would be fatal to a citizen of the United States; and the condition of a foreigner cannot create a new measure in the administration of justice. It is moreover certain, that those who have been consulted on Pagan's behalf, as well as others, have seriously doubted whether a cause, which has been pursued to the extent which his had reached before the commencement of our new government, was susceptible of federal relief.

The last observation opens the inquiry, what remedy ought the Supreme Court of the United States to have administered, even if the question had been fairly before them? My opinion is that the very merits are against Mr. Pagan. In America, the construction of the armistice has been almost universally to compute the places within which different times were to prevail, by latitude only. Am I misinformed, that such an interpretation has been pressed by *our* ministers, and not denied by those of London? A second mode has been adopted, by describing a circle, and thereby comprehending longitude as well as latitude: now let either rule be adopted, and the position of the capture in this case will be adverse to Pagan's pretensions.

But what can be exacted from our government, after repeated trials, before various jurisdictions, none of which can be charged with any symptom of impropriety, and upon a subject, which, to say no more, is at least equipoised? Nothing; and I appeal to the British reasoning on the Silesia loan, as supporting this sentiment, in the following passage. 'The law of nations, founded upon justice, equity, convenience, and the reason of the thing, and confirmed by long usage, does not allow of reprisals, except in case of violent injuries directed and supported by the State, and justice absolutely denied, in *re minime dubia*, by all the tribunals, and afterwards by the prince.' Where the judges are left free, and give sentence according to their consciences, 'though it should be erroneous, that would be no ground for reprisals. Upon doubtful questions, different men think and judge differently; and all a friend can desire is, that justice should be as impartially administered to him, as it is to the subjects of that prince in whose courts the matter is tried.' Under such circumstances, a citizen must acquiesce. So, therefore, must Pagan; against whom even the court of Nova Scotia, within the dominions of his sovereign, has once decided.

There are many smaller points, arising from the controversy, which might be relied on. But I pass them over, from a hope that the observations already made will induce you to think with me, that government is not bound to interpose farther in the behalf of Pagan.

I have the honour, Sir, to be, with respect and esteem,
Your most obedient servant,
EDMOND RANDOLPH.

TO MR. PINCKNEY.

Philadelphia, April 20, 1793.

DEAR SIR,

In a postscript to my letter of the 12th, I acknowledged the receipt of yours of January the 3rd; since which those of January the 30th and February the 5th have been received by the William Penn.

With respect to our negotiation with Mr. Hammond, it is exactly in the state in which it was when you left America, not one single word having been received in reply to my general answer, of which you had a copy. He says, he waits for instructions, which he pretends to expect from packet to packet. But sometimes the ministers are all in the country; sometimes they are absorbed in negotiations nearer home; sometimes it is the hurry of impending war, or attention to other objects, the stock of which is inexhaustible, and can therefore never fail those who desire nothing but that things shall rest as they are. Perhaps, however, the present times may hasten justice.

We shall be glad to receive the assayer you hope to procure, as soon as possible, for we cannot get one in this country equal to the business in all its parts. With respect to Mr. Droz, we retain the same desire to engage him, but we are forced to require an immediate decision, as the officer employed in the interim, and who does tolerably well, will not continue much longer under an uncertainty of permanent employment. I must therefore desire you to press Mr. Morris to bring Droz to an immediate determination; and we place the matter on this ground with him, that if he is not embarked by the first day of July next, we shall give a permanent commission to the present officer, and be free to receive no other. We are likely to be in very great distress for copper for the mint, and must therefore press your expediting what we desired you to order from Sweden.

You may, on every occasion, give assurances which cannot go beyond the real desires of this country, to preserve a fair neutrality in the present war, on condition that the rights of neutral nations are respected in us, as they have been settled in *modern* times, either by the express declarations of the powers of Europe, or their adoption of them on particular occasions. From our treaties with France and Holland, and that of England and France, a very clear and simple line of conduct can be marked out for us, and I think we are not unreasonable in expecting that England shall recognise towards us the same principles which she has stipulated to recognise towards France, in a state of neutrality.

I have the honour to be, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

CIRCULAR TO MESSRS. MORRIS, PINCKNEY, AND SHORT.

Philadelphia, April 26, 1793.

SIR,

The public papers giving us reason to believe that the war is becoming nearly general in Europe, and that it has already involved nations with which we are in daily habits of commerce and friendship, the President has thought it proper to issue the proclamation of which I inclose you a copy, in order to mark out to our citizens the line of conduct they are to pursue. That this intimation, however, might not work to their prejudice, by being produced against them as conclusive evidence of their knowledge of the existence of war and of the nations engaged in it, in any case where they might be drawn into courts of justice for acts done without that knowledge, it has been thought necessary to write to the representatives of the belligerent powers here, the letter of which a copy is also inclosed, reserving to our citizens those immunities to which they are entitled, till authentic information shall be given to our government by the parties at war, and be thus communicated, with due certainty to our citizens. You will be pleased to present to the government where you reside this proceeding of the President, as a proof of the earnest desire of the United States to preserve peace and friendship with all the belligerent powers, and to express his expectation that they will in return extend a scrupulous and effectual protection to all our citizens, wheresoever they may need it, in pursuing their lawful and peaceable concerns with their subjects, or within their jurisdiction. You will, at the same time, assure them that the most exact reciprocation of this benefit shall be practised by us towards their subjects in the like cases.

I have the honour to be, with great esteem and respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE TERNANT.

Philadelphia, April 27, 1793.

SIR,

Your letter of the 13th instant, asking monies to answer the expenses and salaries of the consular offices of France, has been duly laid before the President, and his directions thereon taken.

I have, in consequence, to observe to you, that before the new government of France had time to attend to things on this side the Atlantic, and to provide a deposit of money for their purposes here, there appeared a degree of necessity that we, as the friends and debtors of that nation, should keep their affairs from suffering by furnishing money for urgent purposes. This obliged us to take on ourselves to judge of the purpose, because, on the soundness of that, we were to depend for our justification. Hence we furnished monies for their colonies and their agents here, without express authority, judging from the importance and necessity of the case, that they would approve of our interference.

But this kind of necessity is now at an end: the government has established a deposit of money in the hands of their minister here, and we have nothing now to do but to furnish the money, which we are in the course of doing, without looking into the purposes to which it is to be applied. Their minister is to be the judge of these, and to pay it to whom and for what he pleases.

If it be urged that they have appropriated all the money we are furnishing, to other objects, and that you are not authorised to divert any of it to any other purpose, and therefore that you *need a further sum*, it may be answered that it will not lessen the stretch of authority to add an *unauthorised payment by us* to an *unauthorised application by you*; and that it seems fitter that their minister should exercise a discretion over their appropriations, standing as he does in a place of confidence, authority, and responsibility, than we who are strangers, and unamenable to them. It is a respect we owe to their authority, to leave to those acting under that, the transaction of their affairs, without an intermedling on our part, which might justly appear officious.

In this light I hope you will view our conduct, and that the consular officers will be sensible, that in referring them to your care, under which the national authority has placed them, we do but conform ourselves to that authority.

I have the honour to be, with sentiments of great respect and esteem,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE TERNANT.

Philadelphia, May 3, 1793.

SIR,

The Minister Plenipotentiary of his Britannic Majesty has represented to the government of the United States, that on the 25th of April last, the British ship Grange, while lying at anchor in the bay of Delaware, within the territory and jurisdiction of the United States, was taken possession of by the Embuscade, a frigate of the French republic, has been brought to this port, where she is now detained as prize, and the crew as prisoners, and has made a requisition in form, for a restoration of the vessel, and liberation of the crew. I have the honour to furnish you with copies of the evidence given in by the British minister, and to observe, that the United States being at peace with all parties, cannot see with indifference its territory or jurisdiction violated by either; that the government will therefore proceed to inquire into the facts, and for that purpose will receive with pleasure, and consider with impartiality, any evidence you will be pleased to have them furnished with on the subject: and the President hopes that you will take effectual measures for detaining here the vessel taken, her crew and cargo, to abide the decision which will be made thereon, and which is desired to be without delay.

I have the honour to be, with great respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO MR. PINCKNEY.

Philadelphia, May 7, 1793.

DEAR SIR,

Since my letter of April the 16th, yours have been received of March the 12th, 12th, 13th, 13th, and 19th. Before the receipt of these, one of which covered the form of your passports, it had been determined here, that passports should be issued in *our own ports* only, as well to secure us against those collusions which would be fraudulent towards our friends, and would introduce a competition injurious to our own vessels, as to induce these to remain in our own service, and thereby give to the productions of our own soil the protection of its own flag in its passage to foreign markets. As our citizens are free to purchase and use *foreign built* vessels, and these, like all their other lawful property, are entitled to the protection of their government, passports will be issued to them as freely as to *home built* vessels. This is strictly within our treaties, the letter of which, as well as their spirit, authorises passports to all vessels *belonging* to citizens of the United States. Our laws, indeed, indulge home built vessels with the payment of a lower tonnage, and to evidence their right to this, permit them alone to take out registers from our own offices; but they do not exclude foreign built vessels owned by our citizens from any other right. As our home built vessels are adequate to but a small proportion of our transportation, if we could not suddenly augment the stock of our shipping, our produce would be subject to war insurance in the vessels of the belligerent powers, though we remain at peace ourselves.

In one of your letters of March the 13th, you express your apprehension that some of the belligerent powers may stop our vessels going with grain to the ports of their enemies, and ask instructions which may meet the question in various points of view, intending, however, in the mean time, to contend for the amplest freedom of neutral nations. Your intention in this is perfectly proper, and coincides with the ideas of our own government in the particular case you put, as in general cases.

Such a stoppage to an unblockaded port would be so unequivocal an infringement of the neutral rights, that we cannot conceive it will be attempted. With respect to our conduct, as a neutral nation, it is marked out in our treaties with France and Holland, two of the belligerent powers: and as the duties of neutrality require an *equal* conduct to both parties, we should, on that ground, act on the same principles towards Great Britain. We presume that this would be satisfactory to her because of its equality, and because she too has sanctioned the same principles in her treaty with France. Even our seventeenth article with France, which might be disagreeable, as from its nature it is unequal, is adopted exactly by Great Britain in her fortieth article with the same power, and would have laid her, in a like case, under the same unequal obligations against us. We wish, then, that it could be arranged with Great Britain, that our treaties with France and Holland, and that of France and Great Britain (which agree in what respects neutral nations), should form the line of conduct for us all, in the present war, in the cases for which they provide. Where they are silent, the general principles of the law of nations must give the rule, as the principles of that law have been liberalized in latter times by the refinement of manners and morals, and evidenced by the declarations, stipulations, and practice, of every civilized nation. In our treaty with Prussia, indeed, we have gone ahead of other nations, in doing away restraints on the commerce of peaceful nations, by declaring that nothing shall be contraband. For in truth, in the present improved state of the arts, when every country has such ample means of procuring arms within and without itself, the regulations of contraband answer no other end than to draw other nations into the war. However, as other nations have not given sanction to this improvement, we claim it, at present, with Prussia alone.

You are desired to persevere till you obtain a regulation to guard our vessels from having their hands impressed, and to inhibit the British navy officers from taking them under the pretext of their being British subjects. There appears but one practicable rule, that the vessel being American, shall be conclusive evidence that the hands are so, to a certain number, proportioned to her tonnage. Not more than one or two officers should be permitted to visit a vessel. Mr. Albion Coxe has just arrived.

I have the honour to be, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, May 15, 1793.

SIR,

Your several memorials of the 8th instant, have been laid before the President, as had been that of the 2nd, as soon as received. They have been considered with all the attention and the impartiality which a firm determination to do what is equal and right between all the belligerent powers, could inspire.

In one of these, you communicate, on the information of the British consul at Charleston, that the consul of France at the same place had condemned as legal prize, a British vessel, captured by a French frigate, and you justly add that this judicial act is not warranted by the usage of nations, nor by the stipulations existing between the United States and France. I observe further, that it is not warranted by any law of the land. It is consequently a mere nullity; as such it can be respected in no court, can make no part in the title to the vessel, nor give to the purchaser any other security than what he would have had without it. In short, it is so absolutely nothing as to give no foundation of just concern to any person interested in the fate of the vessel; and in this point of view, Sir, I am in hopes you will see it. The proceeding, indeed, if the British consul has been rightly informed, and we have no other information of it, has been an act of disrespect towards the United States, to which its government cannot be inattentive: a just sense of our own rights and duties, and the obviousness of the principle, are a security that no inconveniences will be permitted to arise from repetitions of it.

The purchase of arms and military accoutrements by an agent of the French government, in this country, with an intent to export them to France, is the subject of another of the memorials. Of this fact we are equally uninformed as of the former. Our citizens have been always free to make, vend, and export arms. It is the constant occupation and livelihood of some of them. To suppress their callings, the only means perhaps of their subsistence, because a war exists in foreign and distant countries, in which we have no concern, would scarcely be expected. It would be hard in principle, and impossible in practice. The law of nations, therefore, respecting the rights of those at peace, does not require from them such an internal derangement in their occupations. It is satisfied with the external penalty pronounced in the President's proclamation, that of confiscation of such portion of these arms as shall fall into the hands of any of the belligerent powers on their way to the ports of their enemies. To this penalty our citizens are warned that they will be abandoned; and that even private contraventions may work no inequality between the parties at war, the benefits of them will be left equally free and open to all.

The capture of the British ship Grange by the French frigate l'Embuscade, has on inquiry been found to have taken place within the bay of Delaware and jurisdiction of the United States, as stated in your memorial of the 2nd instant. The government is, therefore, taking measures for the liberation of the crew and restitution of the ship and cargo.

It condemns, in the highest degree, the conduct of any of our citizens who may personally engage in committing hostilities at sea against any of the nations, parties to the present war, and will exert all the means with which the laws and constitution have armed them to discover such as offend herein, and bring them to condign punishment. Of these dispositions I am authorised to give assurances to all the parties, without reserve. Our real friendship for them all, our desire to pursue ourselves the path of peace, as the only one leading surely to prosperity, and our wish to preserve the morals of our citizens from being vitiated by courses of lawless plunder and murder, may assure you that our proceedings in this respect will be with good faith, fervour, and vigilance. Instructions are consequently given to the proper law officer, to institute such proceedings as the laws will justify, for apprehending and punishing certain individuals of our citizens, suggested to have been concerned in enterprises of this kind, as mentioned in one of your memorials of the 8th instant.

The practice of commissioning, equipping, and manning vessels in our ports, to cruise on any of the belligerent parties, is equally and entirely disapproved; and the government will take effectual measures to prevent a repetition of it. The remaining point in the same memorial is reserved for further consideration.

I trust, Sir, that in the readiness with which the United States have attended to the redress of such wrongs as are committed by their citizens, or within their jurisdiction, you will see proofs of their justice and impartiality to all parties; and that it will insure to their citizens, pursuing their lawful business by sea or by land, in all parts of the world, a like efficacious interposition of governing powers to protect them from injury, and redress it, where it has taken place. With such dispositions on both sides, vigilantly and faithfully carried into effect, we may hope that the blessings of peace on the one part, will be as little impaired, and the evils of war on the other, as little aggravated, as the nature of things will permit; and that this should be so, is, we trust, the prayer of all. I have the honour to be, with sentiments of respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

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*TO M DE TERNANT.

Philadelphia, May 15, 1793.

SIR,

Having received several memorials from the British minister, on subjects arising out of the present war, I take the liberty of inclosing them to you, and shall add an explanation of the determinations of the government thereon. These will serve to indicate the principles on which it is meant to proceed; and which are to be applied, with impartiality, to the proceedings of both parties. They will form, therefore, as far as they go, a rule of action for them and for us.

In one of these memorials, it is stated, that arms and military accoutrements are now buying up by a French agent in this country, with an intent to export them to France. We have answered, &c.

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Another of these memorials complains, that the consul of France at Charleston has condemned, as legal prize, a British vessel captured by a French frigate, observing that this judicial act is not warranted by the usage of nations, nor by the stipulations existing between the United States and France. It is true, &c.

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Our information is not perfect on the subject matter of another of these memorials, which states that a vessel has been fitted out at Charleston, manned there, and partly too with citizens of the United States, received a commission there to cruise against nations at peace with us, and has taken and sent a British vessel into this port. Without taking all these facts for granted, we have not hesitated to express our highest disapprobation of the conduct of any of our citizens who may personally engage in committing hostilities at sea against any of the nations, parties to the present war; and to declare, that if the case has happened, or that should it happen, we will exert all the measures with which the laws and constitution have armed us, to discover such offenders and bring them to condign punishment. And that the like conduct shall be observed, should the like enterprises be attempted against your nation, I am authorised to give you the most unreserved assurances.

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* The parts of this letter which are mere repetitions of what is contained in the preceding, to the British minister, are omitted.

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The capture of the British ship Grange, by the French frigate l'Embuscade, within the Delaware, has been the subject of a former letter to you. On full and mature consideration, the government deems the capture to have been unquestionably within its jurisdiction; and that, according to the rules of neutrality, and the protection it owes to all persons while within its limits, it is bound to see that the crew be liberated, and the vessel and cargo restored to their former owners. The Attorney General of the United States has made a statement of the grounds of this determination, a copy of which I have the honour to inclose you. I am, in consequence, charged by the President of the United States to express to you his expectation, and, at the same time, his confidence, that you will be pleased to take immediate and effectual measures for having the ship Grange and her cargo restored to the British owners, and the persons taken on board her set at liberty.

I am persuaded, Sir, you will be sensible, on mature consideration, that in forming these determinations, the government of the United States has listened to nothing but the dictates of immutable justice: they consider the rigorous exercise of that virtue as the surest means of preserving perfect harmony between the United States and the powers at war.

I have the honour to be, with sentiments of great respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO THE GOVERNOR OF VIRGINIA.

Philadelphia, May 21, 1793.

Sir,

I have been duly honoured with your favour of May the 8th, covering the letter of Mr. Newton, and that of May the 13th, with the letter of the British consul at Norfolk, and the information of Henry Tucker, all of which have been laid before the President.

The putting the several harbours of the United States into a state of defence, having never yet been the subject of deliberation and decision with the legislature, and, consequently, the necessary monies not having been appropriated or levied, the President does not find himself in a situation competent to comply with the proposition on the subject of Norfolk.

Mr. Newton supposes, that by the treaties with France and Holland, those powers are authorised to arm vessels within our ports. A careful examination of the treaties will shew, however, that no such permission has been stipulated therein. Measures are accordingly taken to correct this error as to the past, and others will be taken to prevent a repetition of it. Proceedings are ordered against Mr. Hooper, and other American citizens, who have participated in any hostilities against nations at peace with the United States, and circular instructions are given to the District Attorneys of the United States, to institute like prosecutions in all future similar cases. The bringing vessels to, of whatever nation, while within the limits of the protection of the United States, will be pointedly forbidden; the government being firmly determined to enforce a peaceable demeanour among all the parties within those limits, and to deal to all the same impartial measure.

I have the honour to be, with the most perfect respect,
Your Excellency's
Most obedient and most humble servant,
Th. Jefferson.

TO MR. VAN BERCKEL.

Philadelphia, May 29, 1793.

Sir,

I am favoured with your note of the 22nd instant, stating that, under circumstances of invasion and urgent danger, their High Mightinesses, the States General of the United Netherlands, had found it necessary to lay an embargo on all vessels in their ports; and that an American ship, the Hope, being involved in this general order, the master had claimed an exemption under the eighth article of our treaty, which it had been necessary to refuse him.

I have laid this note before the President of the United States, and have it in charge from him to assure you, that the United States, having the utmost confidence in the sincerity and good faith with which their High Mightinesses will observe the treaty between the two countries, feel no dissatisfaction at the circumstance mentioned in your note. They are sensible that, in human affairs, there are moments of difficulty and necessity, to which it is the office of friendship to accommodate its strict rights.

The President considers the explanation, which their High Mightinesses have instructed you to give of this incident, as a proof of their desire to cultivate harmony and good understanding with these United States, and charges me to assure you, that he has nothing more at heart than to convince their High Mightinesses of the same amicable sentiments on the part of this country, and of the certainty with which they may count on its justice and friendship on every occasion.

I have the honour to be, with great respect and esteem,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MESSRS. CARMICHAEL AND SHORT.

Philadelphia, May 31, 1793.

GENTLEMEN,

In my letters of October the 14th, and November the 3d, 1792, I communicated to you papers and observations on the conduct of the Spanish officers on our south-western frontier, and particularly of the Baron de Carondelet, the Governor of New Orleans. These made it evident that he had industriously excited the southern Indians to war against us, and had furnished them with arms and ammunition, in abundance, for that express purpose. We placed this under the view of the Commissioners of Spain here, who undertook to communicate it to their court, and also to write on the subject to the Baron de Carondelet. They have lately made us communications from both these quarters; the aspect of which, however, is by no means such as to remove the causes of our dissatisfaction. I send you these communications, consisting of treaties between Spain, the Creeks, Choctaws, Chickasaws, and Cherokees, handed us by express order from their court, a speech of Baron de Carondelet to the Cherokees, and a letter from Messrs. de Viar and Jaudenes, covering that speech, and containing in itself very serious matter.

I will first observe to you, that the question stated in that letter to have been proposed to the Cherokees, what part they would take, in the event of a war between the United States and Spain? was never proposed by authority from this government. Its instructions to its agents, have, on the contrary, been, explicitly, to cultivate, with good faith, the peace between Spain and the Indians: and, from the known prudence and good conduct of Governor Blount, to whom it is imputed, it is not believed to have been proposed by him. This proposition, then, you are authorised to disavow to the court of Madrid, in the most unequivocal terms.

With respect to the treaties, the speech, and the letter, you will see that they undertake to espouse the concerns of Indians within our limits; to be mediators of boundary between them and us; to guarantee that boundary to them; to support them with their whole power; and hazard to us intimations of acquiescence, to avoid disagreeable results. They even propose to extend their intermeddlings to the northern Indians. These are pretensions so totally inconsistent with the usages established among the white nations, with respect to Indians living within their several limits, that it is believed no example of them can be produced, in times of peace; and they are presented to us in a manner which we cannot deem friendly. The consequence is, that the Indians, and particularly the Creeks, finding themselves so encouraged, have passed, without the least provocation on our part, from a state of peace, which appeared to be well settled, to that of serious hostility. Their murders and depredations, which, for some months, we were willing to hope were only individual aggressions, now assume the appearance of unequivocal war. Yet such is our desire of courting and cultivating the peace of all our Indian neighbours, that, instead of marching at once into their country, and taking satisfaction ourselves, we are peaceably requiring punishment of the individual aggressors; and, in the mean time, are holding ourselves entirely on the defensive. But this state of things cannot continue. Our citizens are entitled to effectual protection, and defensive measures are, at the same time, the most expensive and least effectual. If we find, then, that peace cannot be obtained by the temperate means we are still pursuing, we must proceed to those which are extreme, and meet all the consequences, of whatever nature, or from whatever quarter, they may be. We have certainly been always desirous to avoid whatever might disturb our harmony with Spain. We should be still more so, at a moment when we see that nation making part of so powerful a confederacy as is formed in Europe, and under particular good understanding with England, our other neighbour. In so delicate a position, therefore, instead of expressing our sense of these things, by way of answer to Messrs. Viar and Jaudenes, the President has thought it better that it should be done to you, and to trust to your discretion the moment, the measure, and the form of communicating it to the court of Madrid. The actual state of Europe at the time you will receive this, the solidity of the confederacy, and especially as between Spain and England, the temper and views of the former, or of both, towards us, the state of your negotiation, are circumstances which will enable you better to decide how far it may be necessary to soften, or even perhaps to suppress, the expressions of our sentiments on this subject. To your discretion, therefore, it is committed by the President, to let the court of Spain see how impossible it is for us to submit, with folded arms, to be butchered by these savages, and to prepare them to view, with a just eye, the more vigorous measures we must pursue, to put an end to their atrocities, if the moderate ones we are now taking, should fail of that effect.

Our situation, on other accounts, and in other quarters, is critical. The President is, therefore, constantly anxious to know the state of things with you: and I entreat you to keep him constantly and well informed. Mr. Yznardi, the younger, lately appointed consul of the United States, at Cadiz, may be a convenient channel of forwarding your letters.

I have the honour to be, with great esteem and respect,

Gentlemen,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO MR. GENET, MINISTER PLENIPOTENTIARY OF FRANCE.

Philadelphia, June 5, 1793.

SIR,

In my letter of May the 15th, to M. de Ternant, your predecessor, after stating the answer which had been given to the several memorials of the British minister, of May the 8th, it was observed, that a part still remained unanswered of that which respected the fitting out armed vessels in Charleston, to cruise against nations with whom we were at peace.

In a conversation which I had afterwards the honour of holding with you, I observed that one of those armed vessels, the Citizen Genet, had come into this port with a prize: that the President had thereupon taken the case into further consideration, and after mature consultation and deliberation, was of opinion, that the arming and equipping vessels in the ports of the United States to cruise against nations with whom they are at peace, was incompatible with the territorial sovereignty of the United States; that it made them instrumental to the annoyance of those nations, and thereby tended to compromit their peace; and that he thought it necessary, as an evidence of good faith to them, as well as a proper reparation to the sovereignty of the country, that the armed vessels of this description should depart from the ports of the United States.

The letter of the 27th instant, with which you have honoured me, has been laid before the President, and that part of it which contains your observations on this subject has been particularly attended to. The respect due to whatever comes from you, friendship for the French nation, and justice to all, have induced him to re-examine the subject, and particularly to give your representations thereon, the consideration they deservedly claim. After fully weighing again, however, all the principles and circumstances of the case, the result appears still to be, that it is the *right* of every nation to prohibit acts of sovereignty from being exercised by any other within its limits; and the *duty* of a neutral nation to prohibit such as would injure one of the warring powers; that the granting military commissions within the United States by any other authority than their own, is an infringement on their sovereignty, and particularly so when granted to their own citizens to lead them to acts contrary to the duties they owe their own country; that the departure of vessels thus illegally equipped from the ports of the United States, will be but an acknowledgment of respect analogous to the breach of it, while it is necessary, on their part, as an evidence of their faithful neutrality. On these considerations, Sir, the President thinks that the United States owe it to themselves and to the nations in their friendship, to expect this act of reparation on the part of vessels, marked in their very equipment with offence to the laws of the land, of which the laws of nations makes an integral part.

The expressions of friendly sentiments which we have already had the satisfaction of receiving from you, leave no room to doubt that the conclusion of the President being thus made known to you, these vessels will be permitted to give no further umbrage by their presence in the ports of the United States.

I have the honour to be,
With sentiments of perfect esteem and respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, June 5, 1793.

SIR,

In the letter which I had the honour of writing you on the 15th of May, in answer to your several memorials of the 8th of that month, I mentioned that the President reserved for further consideration, a part of the one which related to the equipment of two privateers in the port of Charleston. The part alluded to, was that wherein you express your confidence that the executive government of the United States would pursue measures for repressing such practices in future, and for restoring to their rightful owners any captures, which such privateers might bring into the ports of the United States.

The President, after a full investigation of this subject, and the most mature consideration, has charged me to communicate to you that the first part of this application is found to be just, and that effectual measures are taken for preventing repetitions of the act therein complained of; but that the latter part, desiring restitution of the prizes, is understood to be inconsistent with the rules which govern such cases, and would, therefore, be unjustifiable towards the other party.

The principal agents in this transaction were French citizens. Being within the United States at a moment when a war broke out between their own and another country, they determine to go into its defence; they purchase, arm, and equip a vessel with their own money, man it themselves, receive a regular commission from their nation, depart out of the United States, and then commence hostilities by capturing a vessel. If, under these circumstances, the commission of the captors was valid, the property, according to the laws of war, was, by the capture, transferred to them, and it would be an aggression on their nation for the United States to rescue it from them, whether on the high seas or on coming into their ports. If the commission was not valid, and, consequently, the property not transferred by the laws of war to the captors, then the case would have been cognizable in our courts of admiralty, and the owners might have gone thither for redress. So that on neither supposition would the executive be justifiable in interposing.

With respect to the United States, the transaction can be in no wise imputed to them. It was in the first moment of the war, in one of their most distant ports, before measures could be provided by the government to meet all the cases which such a state of things was to produce, impossible to have been known, and, therefore, impossible to have been prevented by that government.

The moment it was known, the most energetic orders were sent to every state and port of the Union, to prevent a repetition of the accident. On a suggestion that citizens of the United States had taken part in the act, one, who was designated, was instantly committed to prison for prosecution; one or two others have been since named, and committed in like manner; and should it appear that there were still others, no measure will be spared to bring them to justice. The President has even gone further: he has required, as a reparation of their breach of respect to the United States, that the vessel so armed and equipped shall depart from our ports.

You will see, Sir, in these proceedings of the President, unequivocal proofs of the line of strict right which he means to pursue. The measures now mentioned are taken in justice to the one party; the ulterior measure of seizing and restoring the prizes is declined in justice to the other; and the evil, thus early arrested, will be of very limited effects; perhaps, indeed, soon disappear altogether.

I have the honour to be, with sentiments of respect,
Sir,
Your most obedient and most humble Servant,
TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, June 13, 1793.

Dear Sir,

It has long since been observed, that of the three millions of livres given by the court of France to aid us in the commencement of our revolution, one million was unaccounted for by the hands into which it was paid. The date of the payment is fixed to have been the 10th of June, 1776, but to whom it was paid has never been known. Suspicions are that it was to Beaumarchais; and that with this very money he purchased the supplies furnished us by him, for which large sums have been paid him already, and a further large sum has lately been certified to be due to him as the balance of the account. I inclose you a letter from the Secretary of the Treasury on this subject, with all the papers relative to the same which his office can furnish; and as you are on the spot, I must beg the favour of you to make an immediate and thorough investigation of it. No reasons of state can now exist for covering the transaction longer under mystery.

I have the honour to be, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
Th. Jefferson.

[The Letter of the Secretary of the Treasury, and other papers, relative to the lost million alluded to in the letter to Mr. Morris.]

TO THE SECRETARY OF STATE,

Treasury Department, June 10, 1793.

Sir,

The Comptroller of the Treasury has reported to me, that 'on examining the subsisting contracts between the United States and the government of France and the Farmers General, and a comparison thereof with the foreign accounts and documents transmitted to the Treasury, the following facts appear:—

That previous to the treaty of February, 1778, the sum of three millions of livres had been advanced by the government of France to the agents the United States, under the title of gratuitous, for which no reimbursement was to be made.

That the payments which composed the before-mentioned sum of three millions of livres, are stated in a letter of Mr. Durival to Mr. Grand, dated in 1768, to have been made at the following periods:

One million delivered by the Royal Treasury the 10th of June, 1776, and two other millions advanced also by the Royal Treasury in 1777, on four receipts of the Deputies of Congress, of the 17th of January, 3d of April, 10th of June, and 15th of October of the same year.

In the account of Mr. Ferdinand Grand, banker of the United States, the following sums are credited, viz.

1777.—January 31	500,000 livres.
April 26	500,000
June 4	1,000,000
July 3	500,000
October 10	500,000
Amount in the whole . .	3,000,000 livres.

The Farmers General of France claim a large balance from the United States on account of one million of livres which they contend was advanced in June, 1777, in consequence of a special contract with Messrs. Franklin and Deane, to be repaid by the delivery of tobacco at certain stipulated prices, and the advance made by the Farmers General is said to be the same money as is credited by Mr. Grand on the 4th of June, 1777.

After a careful examination of the foreign accounts, it is found that no more than three millions of livres have been credited by any agents of the United States.

An opinion was entertained by the late officers of the Treasury, that the sum claimed by the Farmers General composed a part of the sum supplied as gratuitous aid by the government. Subsequent explanations have, however, rendered it probable that, including the claim of the Farmers General, the sum of four millions of livres were in fact received; it is, however, indispensable that it should be known to whom the money was paid.

The most direct mode of obtaining this information will be, to call for copies of the receipts mentioned in Mr. Durival's letter of 1786, and, more particularly, a copy of that said to have been given on the 10th of June, 1776.

And as explanatory of the transaction, he has sent me the documents herewith transmitted.

The most likely conjecture, in my mind, considering the period of the advance, and the circumstances of that period, is, that the unaccounted-for million went into the hands of M. de Beaumarchais. The supplies which he furnished to the United States exceeded his own probable resources, besides the imprudence of having hazarded so much at that stage of our affairs upon our ability to pay; and there were many symptoms, at the time, of his having been secretly put in motion by the government.

It is now become urgent that the truth of the case should be known. An account has recently passed the auditor's office, admitting, in favour of M. de Beaumarchais, a balance of four hundred and twenty-two thousand two hundred and sixty-five dollars and thirteen cents, with a reservation only of the question of the million. If he has received that million which has been acknowledged as a free gift from the French government, it is unjust that he should be able to establish a claim against the United States for supplies which must have been the proceeds of that sum. If he has never received the million, every day's suspension of his claim, after the immense delays heretofore incurred, is a grievous hardship upon him. It concerns materially the interests, and more the justice, the credit, and the character of the United States, that as speedy a solution as possible of the enigma may be obtained.

With a view to this, I have the honour to make you the present communication, that you may be pleased to take such steps as shall appear to you the most proper and efficacious to procure, as speedily as the nature of the case will admit, the requisite explanations.

With respect, I have the honour to be, &c.

ALEXANDER HAMILTON.

Letter from Mr. Grand to —— ——.

Paris, September 9, 1786.

DEAR SIR,

The letter you honoured me with, covered the copies of three letters which Mr. Thompson wrote you to obtain an explanation of a million which is not to be found in my accounts. I should have been very much embarrassed in satisfying him and proving that I had not put that million in my pocket, had

I not applied to Mr. Durival, who, as you will see by the answer inclosed, informs me that there was a million paid by the Royal Treasury on the 10th of June, 1776. This is the very million about which Mr. Thompson inquires, as I have kept an account of the other two millions which were also furnished by the Royal Treasury, viz.

The million in June and April, 1777; the other in July and October of the same year; as well as that furnished by the Farmers General in June, 1777.

Here then are the three millions, exactly, which were given by the King before the treaty of 1778, and that furnished by the Farmers General. Nothing then remains to be known but who received the first million in June, 1776. It could not be by me, who was not charged with the business of Congress until January, 1777. I therefore requested of M. Durival the copy of the receipt for the one million. You have the answer which he returned to me. I wrote to him again, renewing my request, but as the carrier is just setting off, I cannot wait to give you his answer, but you will receive it in my next, if I receive one. In the mean while, I beg you will receive the assurances of the sentiments of respect, with which

I have the honour to be,
My Dear Sir,
Your most obedient and most humble servant,
GRAND.

Letter from Mr. Durival to Mr Grand.

Versailles, August 30, 1786.

SIR,

I have received the letter which you did me the honour to write the 28th of this month, touching the advance of a million, which you say was made by the General Farm to the United States of America, the 3rd of June, 1777. I have no knowledge of that advance. What I have verified is, that the King by the contract of the 25th of February, 1783, has confirmed the gratuitous gift which his Majesty had previously made of the three millions hereafter mentioned, viz.

One million delivered by the Royal Treasury the 10th of June, 1776, and two other millions advanced also by the Royal Treasury in 1777, on four receipts of the Deputies of Congress of the 17th of January, 3rd of April, 10th of June, and 15th of October, of the same year. This explanation will, Sir, resolve your doubt touching the advance of the 3rd of June 1777. I farther recommend to you, Sir, to confer on this subject with Mr. Gojard, who ought to be better informed than us, who have no knowledge of any advances but those made by the Royal Treasury.

I have the honour to be, with great respect,
Sir,
Your most obedient and most humble servant,
Durival.

Postscript from Mr. Grand.

Paris, September 12, 1786.

Sir,

I hazard a letter in hopes it may be able to join that of the 9th, at L'Orient, in order to forward to you, Sir, the answer I have just received from Mr. Durival. You will therefore see, Sir, that notwithstanding my entreaty, the minister himself refuses to give me the copy of the receipts which I asked for. I cannot conceive the reason for this reserve, more especially, since if there has been a million paid, he who received it has kept the account, and must in time be known. I shall hear with pleasure that you have been more fortunate in this respect in America than I have been in France, and repeat to you the assurances of the sentiments of regard, with which

I have the honour to be,
Sir,
Your most obedient and most humble servant,
Grand.

Letter from Mr. Durival to Mr. Grand.

Versailles, September 5, 1786.

I laid before the Count de Vergennes, the two letters which you did me the honour to write, touching the three millions, the free gift of which the King has confirmed in favour of the United States of America.

The minister, Sir, observed that this gift has nothing to do with the million which Congress may have received from the General Farm, 1777. Consequently he thinks that the receipt which you desire may be communicated to you, cannot satisfy the object of your view, and that it would be useless to give you the copy which you desire.

I have the honour to be, with perfect attachment,
Sir,
Your most obedient humble servant,
DURIVAL.

Letter from Mr. Durival to Mr. Grand.

Versailles, September 10, 1786.

I have laid before the Count de Vergennes, as you, Sir, seem to desire, the letter which you did me the honour to write yesterday. The minister persists in the opinion that the receipt, the copy of which you request, has no relation to the business with which you are entrusted on behalf of Congress, and that this price would be useless in the new point of view in which you have placed it. Indeed, Sir, it is easy for you to prove that the money in question was not delivered by the Royal Treasury into your hands, as you did not begin to be charged with the business of Congress until January, 1777, and the receipt is of the date of the 10th of June, 1776.

I have the honour to be, with perfect attachment,
Sir,
Your most obedient and most humble servant,
DURIVAL.

Extract of a letter from Benjamin Franklin to Mr. Grand, banker at Paris, dated Philadelphia, July the 11*th*, 1786.

'I send you inclosed some letters that have passed between the Secretary of Congress and me, respecting three millions of livres acknowledged to have been received before the treaty of 1778, as *don gratuit* from the King, of which only two millions are found in your accounts; unless the million from the Farmers General be one of the three. I have been assured that all the money received from the King, whether as loan or gift, went through your hands; and as I always looked on the million we had of the Farmers General, to be distinct from what we had of the crown, I wonder how I came to sign the contract acknowledging three millions of gift, when in reality there were only two, exclusive of that from the Farmers. And as both you and I examined the project of the contract before I signed it, I am surprised that neither of us took notice of the error. It is possible that the million furnished ostensibly by the Farmers, was in fact a gift of the crown, in which case, as Mr. Thompson observes, they owe us for the two ship loads of tobacco they received on account of it. I must earnestly request of you to get this matter explained, that it may stand clear before I die, lest some enemy should afterwards accuse me of having received a million not accounted for.'

Letter from Dr. Franklin to Charles Thompson.

Philadelphia, January 25, 1787.

Dear Friend,

You may remember that in the correspondence between us in June last, on the subject of a million, *free gift* of the King of France, acknowledged in our contract to have been received, but which did not appear to be accounted for in our banker's accounts, unless it should be the same with the million said to be received from the Farmers General, I mentioned that an explanation might doubtless be easily obtained by writing to Mr. Grand or Mr. Jefferson. I know not whether you have accordingly written to either of them; but being desirous that the matter should be speedily cleared up, I wrote myself to Mr. Grand a letter upon it, of which I now inclose a copy with his answer, and several letters from Mr. Durival, who is *chef du bureau des fonds* (and has under his care *la finance) des affaires étrangères.* You will see by these letters, that the million in question was delivered to somebody on the 10th of June, 1776, but it does not appear to whom. It is clear that it could not be to Mr. Grand, nor to the commissioners from Congress, for we did not meet in France till the end of December, 1777. That banker was not charged before with our affairs. By the minister's refusing him a copy of the receipt, I conjecture it must be money advanced for our use to Mr. Beaumarchais, and that it is a *mystère du cabinet*, which perhaps should not be further inquired into, unless necessary to guard against more demands than may be just from that agent: for it may well be supposed that if the court furnished him with the means of supplying us, they may not be willing to furnish authentic proofs of such a transaction so early in our dispute with Britain.

Pray tell me, has he dropped his demands, or does he still continue to worry you with them?

I should like to have these original letters returned to me, but you may, if you please, keep copies of them.

It is true, the million in question makes no difference in your accounts with the King of France, it not being mentioned or charged as so much lent and repaid, but stood as freely given. Yet if it was put into the hands of any of our agents or ministers, they ought certainly to account for it. I do not recollect whether Mr. Deane had arrived in France before the 10th of June, 1776; but, from his great want of money when I joined him a few months after, I hardly think it could have been paid him.

Possibly Mr. Jefferson may obtain the information, though Mr. Grand could not, and I wish he may be directed to make the inquiry, as I know he would do it directly; I mean, if by Hortales and Co.'s further demands, or for any other reason, such an inquiry should be thought necessary.

I am ever, my dear friend,
Yours most affectionately,
BENJAMIN FRANKLIN.

TO GOUVERNEUR MORRIS.

Philadelphia, June 13, 1793.

DEAR SIR,

The insulated state in which France is placed with respect to almost all the world, by the present war, has cut off all means of addressing letters to you through other countries. I embrace the present occasion by a private individual going to France directly, to mention, that since the date of my last public letter, which was April the 24th, and which covered the President's proclamation of April, I have received your Nos. 17 to 24. M. de Ternant notified us of his recal on the 17th of May, and delivered the letter of the Provisory Executive Council to that effect. I now inclose you the President's answer to the Council, which you will be pleased to deliver; a copy of it is also inclosed, open, for your information. Mr. Genet delivered his credentials on the same day on which M. de Ternant took his leave, and was received by the President. He found himself immediately immersed in business, the consequence of this war. The incidents to which that gives daily rise, and the questions respecting chiefly France and England, fills the executive with business, equally delicate, difficult and disagreeable. The course intended to be pursued being that of a strict and impartial neutrality, decisions rendered by the President rigorously on that principle, dissatisfy both parties, and draw complaints from both. That you may have a proper idea of them, I inclose you copies of several memorials and letters, which have passed between the executive and the ministers of those two countries, which will at the same time develope the principles of the proceedings, and enable you to satisfy them in your communications, should it be necessary.

I inclose also the answer given to Mr. Genet, on a proposition from him to pay up the whole of the French debt at once. While it will enable you to explain the impracticability of the operation proposed, it may put it in your power to judge of the answer which would be given to any future proposition to that effect, and perhaps to prevent their being brought forward. The bill lately passed in England, prohibiting the business of this country with France from passing through the medium of England, is a temporary embarrassment to our commerce, from the unhappy predicament of its all hanging on the pivot of London. It will be happy for us, should it be continued till our merchants may establish connections in the countries in which our produce is consumed, and to which it should go directly.

Our commissioners have proceeded to the treaty with the north-western Indians. They write, however, that the treaty will be a month later than was expected. This delay, should it be extended, will endanger our losing the benefit of our preparations for the campaign, and consequently bring on a delicate question, whether these shall be relinquished for the result of a treaty in which we never had any confidence? The Creeks have proceeded in their depredations till they assume the appearance of formal war. It scarcely seems possible to avoid its becoming so. They are so strong and so far from us, as to make very serious addition to our Indian difficulties. It is very probable that some of the circumstances arising out of our affairs with the Indians, or with the belligerent powers of Europe, may occasion the convocation of Congress at an earlier day than that to which its meeting stands at present.

I send you the forms of the passports given here. The one in three columns is that now used; the other having been soon discontinued. It is determined that they shall be given in our own ports only, and to serve but for one voyage. It has also been determined, that they shall be given to all vessels *bonâ fide* owned by American citizens *wholly*, whether built here or not. Our property, whether in the form of vessels, cargoes, or any thing else, has a right to pass the seas untouched by any nation, by the law of nations; and no one has a right to ask where a vessel was built, but where is she owned? To the security which the law of nations gives to such vessels against all nations, are added particular stipulations with three of the belligerent powers. Had it not been in our power to enlarge our national stock of shipping suddenly in the present exigency, a great proportion of our produce must have remained on our hands for want of the means of transportation to market. At this time, indeed, a great proportion is in that predicament. The most rigorous measures will be taken to prevent any vessel, not wholly and *boná fide* owned by American citizens, from obtaining our passports. It is much our interest to prevent the competition of other nations from taking from us the benefits we have a right to expect from the neutrality of our flag; and I think we may be very sure that few, if any, will be fraudulently obtained within our ports.

Though our spring has been cold and wet, yet the crops of small grain are as promising as they have ever been seen. The Hessian fly, however, to the north, and the weavil to the south of the Potomac, will probably abridge the quantity. Still it seems very doubtful whether we shall not lose more for want of the means of transportation, and I have no doubt that the ships of Sweden and Denmark would find full employment here.

We shall endeavour to get your newspapers under the care of Major Read, the bearer of this letter.

I have the honour to be, with great respect and esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. PINCKNEY.

Philadelphia, June 14, 1793.

My last letters to you have been of the 7th of May and 4th instant. Since the last date, yours of April the 15th has come to hand.

I inclose you several memorials and letters which have passed between the executive and the ministers of France and England. These will develope to you the principles on which we are proceeding between the belligerent powers. The decisions being founded in what is conceived to be rigorous justice, give dissatisfaction to both parties, and produce complaints from both. It is our duty, however, to persevere in them, and to meet the consequences. You will observe that Mr. Hammond proposes to refer to his court the determination of the President, that the prizes taken by the Citoyen Genet could not be given up. The reasons for this are explained in the papers. Mr. Genet had stated that she was manned by French citizens. Mr. Hammond had not stated the contrary before the decision. Neither produced any proofs. It was therefore supposed that she was manned, principally, with French citizens. After the decision, Mr. Hammond denies the fact, but without producing any proof. I am really unable to say how it was; but I believe it to be certain there were very few Americans. He says, the issuing the commission, &c. by Mr. Genet, within our territory, was an infringement of our sovereignty; therefore, the proceeds of it should be given up to Great Britain. The infringement was a matter between France and us. Had we insisted on any penalty or forfeiture by way of satisfaction to our insulted rights, it would have belonged to us, not to a third party. As between Great Britain and us, considering all the circumstances explained in the papers, we deemed we did enough to satisfy her. We are moreover assured, that it is the standing usage of France, perhaps too of other nations in all wars, to lodge blank commissions with all their foreign consuls, to be given to every vessel of their nation, merchant or armed; without which a merchant vessel would be punished as a pirate, were she to take the smallest thing of the enemy that should fall in her way. Indeed, the place of the delivery of a commission is immaterial. As it may be sent by letter to any one, so it may be delivered by hand to him any where. The place of *signature by the Sovereign* is the material thing. Were that to be done in any other jurisdiction than his own, it might draw the validity of the act into question. I mention these things, because I think it would be proper, that after considering them and such other circumstances as appear in the papers, or may occur to yourself, you should make it the subject of a conversation with the minister. Perhaps it may give you an opportunity of touching on another subject. Whenever Mr. Hammond applies to our government on any matter whatever, be it ever so new or difficult, if he does not receive his answer in two or three days or a week, we are goaded with new letters on the subject. Sometimes it is the sailing of the packet which is made the pretext for forcing us into premature and undigested determinations. You know best how far your applications meet such early attentions, and whether you may with propriety claim a return of them: you can best judge too of the expediency of an intimation, that where despatch is not reciprocal, it may be expedient and justifiable that delay should be so.

I have the honour to be, with great and sincere esteem,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. GENET.

Philadelphia, June 17, 1793.

SIR,

I shall now have the honour of answering your letter of the 1st instant, and so much of that of the 14th (both of which have been laid before the President) as relates to a vessel armed in the port of New York, and about to depart from thence; but stopped by order of the government. And here I beg leave to premise, that the case supposed in your letter, of a vessel arming for her own defence, and to repel unjust aggressions, is not that in question, nor that on which I mean to answer, because not having yet happened, as far as is known to the government, I have no instructions on the subject. The case in question is that of a vessel armed, equipped, and manned, in a port of the United States, for the purpose of committing hostilities on nations at peace with the United States.

As soon as it was perceived that such enterprises would be attempted, orders to prevent them were despatched to all the States and ports of the Union. In consequence of these, the Governor of New York, receiving information that a sloop, heretofore called the Polly, now the Republican, was fitting out, arming, and manning, in the port of New York, for the express and sole purpose of cruising against certain nations with whom we are at peace, that she had taken her guns and ammunition aboard, and was on the point of departure, seized the vessel. That the Governor was not mistaken in the previous indications of her object, appears by the subsequent avowal of the citizen Hauterieve, consul of France at that port, who, in a letter to the Governor, reclaims her as 'Un vaisseau armé en guerre, et prêt à metter à la voile;' and describes her object in these expressions: 'Cet usage étrange de la force publique contre les citoyens d'un nation amie qui se reunissent ici *pour aller défendre leur frères,*' &c. and again:

'Je requiers, monsieur, l'autorité dont vous êtes revêtu, pour faire rendre à des François, à des alliés, &c. la liberté *de voler au secours de leur patrie*.' This transaction being reported to the President, orders were immediately sent to deliver over the vessel, and the persons concerned in the enterprise, to the tribunals of the country, that if the act was of those forbidden by the law, it might be punished; if it was not forbidden, it might be so declared, and all persons apprised of what they might or might not do.

This, we have reason to believe, is the true state of the case, and it is a repetition of that which was the subject of my letter of the 5th instant, which animadverted, not merely on the single fact of the granting commissions of war by one nation within the territory of another, but on the aggregate of the facts: for it states the opinion of the President to be, 'that the arming and equipping vessels in the ports of the United States, to cruise against nations with whom they are at peace, was incompatible with the sovereignty of the United States; that it made them instrumental to the annoyance of those nations, and thereby tended to commit their peace.' And this opinion is still conceived to be not contrary to the principles of natural law, the usage of nations, the engagements which unite the two people, nor the proclamation of the President, as you seem to think.

Surely, not a syllable can be found in the last mentioned instrument, permitting the preparation of hostilities in the ports of the United States. Its object was to enjoin on our citizens 'a friendly conduct towards all the belligerent powers;' but a preparation of hostilities is the reverse of this.

None of the engagements in our treaties stipulate this permission. The XVIIth article of that of commerce, permits the armed vessels of either party to enter the ports of the other, and to depart with their prizes freely; but the entry of an armed vessel into a port, is one act; the equipping a vessel in that port, arming her, and manning her, is a different one, and not engaged by any article of the treaty.

You think, Sir, that this opinion is also contrary to the law of nature and the usage of nations. We are of opinion it is dictated by that law and usage; and this had been very maturely inquired into before it was adopted as a principle of conduct. But we will not assume the exclusive right of saying what that law and usage is. Let us appeal to enlightened and disinterested judges. None is more so than Vattel. He says, L. 3. 8. 104. 'Tant qu'un peuple neutre veut jouir surement de cet état, il doit montrer en toutes choses une exacte

impartialité entre ceux qui se font la guerre. Car s'il favorise l'un au préjudice de l'autre, il ne pourra pas se plaindre, quand celui-ci le traitera comme adhérent et associé de son ennemi. Sa neutralité seroit une neutralité frauduleuse, dont personne ne veut être la dupe. Voyons donc en quoi consiste cette impartialité qu'un peuple neutre doit garder.

'Elle se rapporte uniquement à la guerre, et comprend deux choses—1°. Ne point donner de secours quand ou n'y est pas obligé; ne fournir librement ne troupes, ni armes, ni munitions, ni rien de ce qui sert directement à la guerre. Je dis *ne point donner de secours*, et non pas *en donner également*; car il seroit absurde qu'un état secourut en même tems deux ennemis. Et puis il seroit impossible de le faire avec égalité; les mêmes choses, le même nombre de troupes, la même quantité d'armes, de munitions, &c., fournies en des circonstances différentes, ne forment plus des secours equivalents, &c.' If the neutral power may not, consistent with its neutrality, furnish men to either party, for their aid in war, as little can either enrol them in the neutral territory by the law of nations. Wolf, S, 1174, says, 'Puisque le droit de lever des soldats est un droit de majesté, qui ne peut-être violé par une nation étrangère, il n'est pas permis de lever des soldats sur le territoire d'autrui, sans le consentement du maître du territoire.' And Vattel, before cited, L. 3. 8. 15. 'Le droit de lever des soldats appartenant uniquement à la nation, ou au souverain, personne ne peut en envoler en pays étranger sans la permission du souverain: Ceux qui entreprenant d'engager des soldats en pays étranger sans la permission du souverain, et en général quiconque débauche les sujets d'autrui, viole un des droits les plus sacrés du prince et de la nation. C'est le crime qu'on appelle *plagiat*, ou vol d'homme. Il n'est aucun état police qui ne le punisse très sévèrement,' &c. For I choose to refer you to the passage, rather than follow it through all its developements. The testimony of these and other writers, on the law and usage of nations, with your own just reflections on them, will satisfy you that the United States, in prohibiting all the belligerent powers from equipping, arming, and manning vessels of war in their ports, have exercised a right and a duty, with justice and with great moderation. By our treaties with several of the belligerent powers, which are a part of the laws of our land, we have established a state of peace with them. But without appealing to treaties, we are at peace with them all by the law of nature. For by nature's law, man is at peace with man till some aggression is committed, which, by the same law, authorises one to destroy another as his enemy. For our citizens then to commit murders and depredations on the members of nations at peace with us, or combine to do it, appeared to the executive, and to those whom they consulted, as much against the laws of the land as to murder or rob, or combine to murder or rob, its own citizens; and as much to require punishment, if done within their limits, where they have a territorial jurisdiction, or on the high seas, where they have a personal jurisdiction, that is to say, one which reaches their own citizens only, this being an appropriate part of each nation on an element where all have a common jurisdiction. So say our laws, as we understand them ourselves. To them the appeal is made; and whether we have construed them well or ill the constitutional judges will decide. Till that decision shall be obtained, the government of the United States must pursue what they think right with firmness, as is their duty. On the first attempt that was made, the President was desirous of involving in the censures of the law as few as might be. Such of the individuals only, therefore, as were citizens of the United States, were singled out for prosecution. But this second attempt being after full knowledge of what had been done on the first, and indicating a disposition to go on in opposition to the laws, they are to take their course against all persons concerned, whether citizens or aliens; the latter, while within our jurisdiction, and enjoying the protection of the laws, being bound to obedience to them, and to avoid disturbances of our peace within, or acts which would commit it without, equally as citizens are.

I have the honour to be, with sentiments of great respect and esteem,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO. MR. HAMMOND.

Philadelphia, June 19, 1793.

SIR,

I had the honour to address you a letter on the 29th of May was twelvemonth, on the articles still unexecuted of the treaty of peace between the two nations. The subject was extensive and important, and therefore rendered a certain degree of delay in the reply to be expected. But it has now become such as naturally to generate disquietude. The interest we have in the western posts, the blood and treasure which their detention costs us daily, cannot but produce a corresponding anxiety on our part. Permit me, therefore, to ask when I may expect the honour of a reply to my letter, and to assure you of the sentiments of respect, with which

I have the honour to be,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MESSRS. CARMICHAEL AND SHORT.

Philadelphia, June 30, 1793.

GENTLEMEN,

I have received from Messrs. Viar and Jaudenes, the representatives of Spain at this place, a letter, which, whether considered in itself, or as the sequel of several others, conveys to us very disagreeable prospects of the temper and views of their court towards us. If this letter is a faithful expression of that temper, we presume it to be the effect of egregious misrepresentations by their agents in America. Revising our own dispositions and proceedings towards that power, we can find in them nothing but those of peace and friendship for them; and conscious that this will be apparent from a true statement of facts, I shall proceed to give you such a one, to be communicated to the court of Madrid. If they find it very different from that conveyed to them by others, they may think it prudent to doubt, and to take and to give time for mutual inquiry and explanation. I shall proceed to give you this statement, beginning it from an early period.

At the commencement of the late war, the United States laid it down as a rule of their conduct, to engage the Indian tribes within their neighbourhood to remain strictly neutral. They accordingly strongly pressed it on them, urging that it was a family quarrel with which they had nothing to do, and in which we wished them to take no part: and we strengthened these recommendations by doing them every act of friendship and good neighbourhood, which circumstances left in our power. With some, these solicitations prevailed; but the greater part of them suffered themselves to be drawn into the war against us. They waged it in their usual cruel manner, murdering and scalping men, women, and children, indiscriminately, burning their houses, and desolating the country. They put us to vast expense, as well by the constant force we were obliged to keep up in that quarter, as by expeditions of considerable magnitude which we were under the necessity of sending into their country from time to time.

Peace being at length concluded with England, we had it also to conclude with them. They had made war on us without the least provocation or pretence of injury. They had added greatly to the cost of that war. They had insulted our feelings by their savage cruelties. They were by our arms completely subdued and humbled. Under all these circumstances, we had a right to demand substantial satisfaction and indemnification. We used that right, however, with real moderation. Their limits with us under the former government were generally ill defined, questionable, and the frequent cause of war. Sincerely desirous of living in their peace, of cultivating it by every act of justice and friendship, and of rendering them better neighbours by introducing among them some of the most useful arts, it was necessary to begin by a precise definition of boundary. Accordingly, at the treaties held with them, our mutual boundaries were settled; and notwithstanding our just right to concessions adequate to the circumstances of the case, we required such only as were inconsiderable; and for even these, in order that we might place them in a state of perfect conciliation, we paid them a valuable consideration, and granted them annuities in money which have been regularly paid, and were equal to the prices for which they have usually sold their lands.

Sensible, as they were, of the wrong they had done, they expected to make some indemnification, and were, for the most part, satisfied with the mode and measure of it. In one or two instances, where a dissatisfaction was observed to remain as to the boundaries agreed on, or doubts entertained of the authority of those with whom they were agreed, the United States invited the parties to new treaties, and rectified what appeared to be susceptible of it. This was particularly the case with the Creeks. They complained of an inconvenient cession of lands on their part, and by persons not duly representing their nation. They were therefore desired to appoint a proper deputation to revise their treaty; and that there might be no danger of any unfair practices, they were invited to come to the seat of the General Government, and to treat with that directly. They accordingly came. A considerable proportion of what had been ceded was on the revision yielded back to them, and nothing required in lieu of it: and though they would have been better satisfied to have had the whole restored, yet they had obtained enough to satisfy them well.

Their nation, too, would have been satisfied, for they were conscious of their aggression, and of the moderation of the indemnity with which we had been contented. But at that time came among them an adventurer of the name of Bowles, who, acting from an impulse with which we are unacquainted, flattered them with the hope of some foreign interference, which should undo what had been done, and force us to consider the naked grant of their peace as a sufficient satisfaction for their having made war on us. Of this adventurer the Spanish government rid us: but not of his principles, his practices, and his excitements against us. These were more than continued by the officers commanding at New Orleans and Pensacola, and by agents employed by them and bearing their commission. Their proceedings have been the subject of former letters to you, and proofs of these proceedings have been sent to you. Those, with others now sent, establish the facts, that they called assemblies of the southern Indians, openly persuaded them to disavow their treaties, and the limits therein established, promised to support them with all the powers which depended on them, assured them of the protection of their sovereign, gave them arms in great quantities for the avowed purpose of committing hostilities on us, and promised them future supplies to their utmost need. The Chickasaws, the most steady and faithful friends of these States, have remained unshaken by these practices. So also have the Chocktaws, for the most part. The Cherokees have been teazed into some expressions of discontent, delivered only to the Spanish governors, or their agents; while to us they have continued to speak the language of peace and friendship. One part of the nation only, settled at Cuckamogga, and mixed with banditti and outcasts from the Shawanese and other tribes, acknowledging control from none, and never in a state of peace, have readily engaged in the hostilities against us to which they were encouraged. But what was much more important, great numbers of the Creeks, chiefly their young men, have yielded to these incitements, and have now, for more than a twelvemonth, been committing murders and desolations on our frontiers. Really desirous of living in peace with them, we have redoubled our efforts to produce the same disposition in them. We have borne with their aggressions, forbidden all returns of hostility against them, tied up the hands of our people, insomuch that few instances of retaliation have occurred even from our suffering citizens; we have multiplied our gratifications to them, fed them when starving from the produce of our own fields and labour. No longer ago than the last winter, when they had no other resource against famine, and must have perished in great numbers, we carried into their country and distributed among them, gratuitously, ten thousand bushels of corn; and that, too, at the same time, when their young men were daily committing murders on helpless women and children, on our frontiers. And though these depredations now involve more considerable parts of the nation, we are still demanding punishment of the guilty individuals, and shall be contented with it. These acts of neighbourly kindness and support on our part, have not been confined to the Creeks, though exended to them in much the greatest degree. Like wants among the Chickasaws had induced us to send to them also, at first, five hundred bushels of corn, and afterwards, fifteen hundred more. Our language to all the tribes of Indians has constantly been, to live in peace with one another, and in a most especial manner, we have used our endeavours with those in the neighbourhood of the Spanish colonies, to be peaceable towards those colonies. I sent you on a former occasion the copy of a letter from the Secretary at War to Mr. Seagrove, one of our agents with the Indians, in that quarter, merely to convey to you the general tenor of the conduct marked out for those agents: and I desired you, in placing before the eyes of the Spanish ministry the very contrary conduct observed by their agents here, to invite them to a reciprocity of good offices with our Indian neighbours, each for the other, and to make our common peace the common object of both nations. I can protest that such have hitherto been the candid and zealous endeavours of this government, and that if its agents have in any instance acted in another way, it has been equally unknown and unauthorised by us, and that were even probable proofs of it produced, there would be no hesitation to mark them with the disapprobation of the government. We expected the same friendly condescension from the court of Spain, in furnishing you with proofs of the practices of the Governor de Carondelet, in particular practices avowed by him, and attempted to be justified in his letter.

In this state of things, in such dispositions towards Spain and towards the Indians, in such a course of proceedings with respect to them, and while negotiations were instituted at Madrid for arranging these and all other matters which might affect our friendship and good understanding, we received from Messrs. de Viar and Jaudenes their letter of May the 25th, which was the subject of mine of May the 31st, to you; and now again we have received that of the 18th instant, a copy of which is inclosed. This letter charges us, and in the most disrespectful style, with

1. Exciting the Chickasaws to war on the Creeks.
2. Furnishing them with provisions and arms.
3. Aiming at the occupation of a post at the Ecores Amargas.
4. Giving medals and marks of distinction to several Indians.
5. Meddling with the affairs of such as are allies of Spain.
6. Not using efficacious means to prevent these proceedings.

I shall make short observations on these charges.

1. Were the first true, it would not be unjustifiable. The Creeks have now a second time commenced against us a wanton and unprovoked war, and the present one in the face of a recent treaty, and of the most friendly and charitable offices on our part. There would be nothing out of the common course of proceeding, then, for us to engage allies, if we needed any, for their punishment. But we neither need, nor have sought them. The fact itself is utterly false, and we defy the world to produce a single proof of it. The declaration of war by the Chickasaws, as we are informed, was a very sudden thing, produced by the murder of some of their people by a party of Creeks, and produced so instantaneously as to give nobody time to interfere, either to promote or prevent a rupture. We had, on the contrary, most particularly exhorted that nation to preserve peace, because in truth we have a most particular friendship for them. This will be evident from a copy of the message of the President to them, among the papers now inclosed.

2. The gift of provisions was but an act of that friendship to them, when in the same distress, which had induced us to give five times as much to the less friendly nation of the Creeks. But we have given arms to them. We believe it is the practice of every white nation to give arms to the neighbouring Indians. The agents of Spain have done it abundantly, and we suppose not out of their own pockets, and this for purposes of avowed hostility on us; and they have been liberal in promises of further supplies. We have given a few arms to a very friendly tribe, not to make war on Spain, but to defend themselves from the atrocities of a vastly more numerous and powerful people, and one which, by a series of unprovoked and even unrepelled attacks on us, is obliging us to look towards war as the only means left of curbing their insolence.

3. We are aiming, as is pretended, at an establishment on the Mississippi, at the Ecores Amargas. Considering the measures of this nature with which Spain is going on, having, since the proposition to treat with us on the subject, established posts at the Walnut-hills and other places for two hundred miles upwards, it would not have been wonderful if we had taken countervailing measures. But the truth is, we have not done it. We wished to give a fair chance to the negotiation going on, and thought it but common candour to leave things in *statu quo*, to make no innovation pending the negotiation. In this spirit we forbid, and deterred even by military force, a large association of our citizens, under the name of the Yazoo companies, which had formed to settle themselves at those very Walnut-hills, which Spain has since occupied. And so far are we from meditating the particular establishment so boldly charged in this letter, that we know not what place is meant by the Ecores Amargas. This charge, then, is false also.

4. Giving medals and marks of distinction to the Indian Chiefs. This is but blindly hinted at in this letter, but was more pointedly complained of in the former. This has been an ancient custom from time immemorial. The medals are considered as complimentary things, as marks of friendship to those who come to see us, or who do us good offices, conciliatory of their good will towards us, and not designed to produce a contrary disposition towards others. They confer no power, and seem to have taken their origin in the European practice of giving medals, or other marks of friendship, to the negotiators of treaties, and other diplomatic characters, or visitors of distinction. The British Government, while it prevailed here, practised the giving medals, gorgets, and bracelets to the savages, invariably. We have continued it, and we did imagine, without pretending to know, that Spain also did it.

5. We meddle with the affairs of Indians in alliance with Spain. We are perfectly at a loss to know what this means. The Indians on our frontier have treaties both with Spain and us. We have endeavoured to cultivate their friendship, to merit it by presents, charities, and exhortations to peace with their neighbours, and particularly with the subjects of Spain. We have carried on some little commerce with them, merely to supply their wants. Spain too has made them presents, traded with them, kept agents among them, though their country is within the limits established as ours at the general peace. However, Spain has chosen to have it understood that she has some claim

to some parts of that country, and that it must be one of the subjects of our present negotiations. Out of respect for her, then, we have considered her pretensions to the country, though it was impossible to believe them serious, as colouring pretensions to a concern with those Indians on the same ground with our own, and we were willing to let them go on till a treaty should set things to rights between us.

6. Another article of complaint is, that we have not used efficacious means to suppress these practices. But if the charge is false, or the practice justifiable, no suppression is necessary.

And lastly, these gentlemen say that, on a view of these proceedings of the United States with respect to Spain, and the Indians, their allies, they foresee that our peace with Spain is very problematical in future. The principal object of the letter being *our* supposed excitements of the Chickasaws against the Creeks, and *their* protection of the latter, are we to understand from this, that if we arm to repulse the attacks of the Creeks on ourselves, it will disturb our peace with Spain? That if we will not fold our arms, and let them butcher us without resistance, Spain will consider it as a cause of war? This is, indeed, so serious an intimation, that the President has thought it could no longer be treated with subordinate characters, but that his sentiments should be conveyed to the government of Spain itself, through you.

We love and we value peace; we know its blessings from experience. We abhor the follies of war, and are not untried in its distresses and calamities. Unmeddling with the affairs of other nations, we had hoped that our distance and our dispositions would have left us free, in the example and indulgence of peace with all the world. We had, with sincere and particular dispositions, courted and cultivated the friendship of Spain. We have made to it great sacrifices of time and interest, and were disposed to believe she would see her interests also in a perfect coalition and good understanding with us. Cherishing still the same sentiments, we have chosen, in the present instance, to ascribe the intimations in this letter to the particular character of the writers, displayed in the peculiarity of the style of their communications, and, therefore, we have removed the cause from them to their sovereign, in whose justice and love of peace we have confidence. If we are disappointed in this appeal, if we are to be forced into a contrary order of things, our mind is made up. We shall meet it with firmness. The necessity of our position will supersede all appeal to calculation now, as it has done heretofore. We confide in our own strength, without boasting of it; we respect that of others, without fearing it. If we cannot otherwise prevail on the Creeks to discontinue their depredations, we will attack them in force. If Spain chooses to consider our defence against savage butchery as a cause of war to her, we must meet her also in war, with regret, but without fear; and we shall be happier, to the last moment, to repair with her to the tribunal of peace and reason.

The President charges you to communicate the contents of this letter to the court of Madrid, with all the temperance and delicacy which the dignity and character of that court render proper; but with all the firmness and self-respect which befit a nation conscious of its rectitude, and settled in its purpose.

I have the honour to be, with sentiments of the most perfect esteem and respect,

Gentlemen,
Your most obedient and most humble servant,
TH. JEFFERSON.

To the Chief Justice and Judges of the Supreme Court of the United States.

Philadelphia, July 18, 1793.

GENTLEMEN,

The war which has taken place among the powers of Europe, produces frequent transactions within our ports and limits, on which questions arise of considerable difficulty, and of greater importance to the peace of the United States. These questions depend for their solution on the construction of our treaties, on the laws of nature and nations, and on the laws of the land; and are often presented under circumstances which do not give a cognizance of them to the tribunals of the country. Yet their decision is so little analogous to the ordinary functions of the executive, as to occasion much embarrassment and difficulty to them. The President would therefore be much relieved, if he found himself free to refer questions of this description to the opinions of the judges of the Supreme Court of the United States, whose knowledge of the subject would secure us against errors dangerous to the peace of the United States, and their authority insure the respect of all parties. He has, therefore, asked the attendance of such judges as could be collected in time for the occasion, to know, in the first place, their opinion, whether the public may with propriety be availed of their advice on these questions? And if they may, to present, for their advice, the abstract questions which have already occurred, or may soon occur, from which they will themselves strike out such as any circumstances might, in their opinion, forbid them to pronounce on.

I have the honour to be, with sentiments of great esteem and respect,

Gentlemen,
Your most obedient humble servant,
TH. JEFFERSON.

TO MR. GENET.

Philadelphia, July 24, 1793.

SIR,

Your favour of the 9th instant, covering the information of Silvat Ducamp, Pierre Nouvel, Chouquet de Savarence, Gaston de Nogere, and G. Blustier, that being on their passage from the French West Indies to the United States, on board merchant vessels of the United States, with slaves and merchandize, of their property, these vessels were stopped by British armed vessels, and their property taken out as lawful prize, has been received.

I believe it cannot be doubted, but that by the general law of nations, the goods of a friend found in the vessel of an enemy are free, and the goods of an enemy found in the vessel of a friend are lawful prize. Upon this principle, I presume, the British armed vessels have taken the property of French citizens found in our vessels, in the cases above mentioned, and I confess I should be at a loss on what principle to reclaim it. It is true that sundry nations, desirous of avoiding the inconveniences of having their vessels stopped at sea, ransacked, carried into port, and detained, under pretence of having enemy goods aboard, have, in many instances, introduced by their special treaties another principle between them, that enemy bottoms shall make enemy goods, and friendly bottoms friendly goods; a principle much less embarrassing to commerce, and equal to all parties in point of gain and loss. But this is altogether the effect of particular treaty, controlling in special cases the general principle of the law of nations, and therefore taking effect between such nations only as have so agreed to control it. England has generally determined to adhere to the rigorous principle, having, in no instance, as far as I recollect, agreed to the modification of letting the property of the goods follow that of the vessel, except in the single one of her treaty with France. We have adopted this modification in our treaties with France, the United Netherlands, and Russia; and, therefore, as to them, our vessels cover the goods of their enemies, and we lose our goods when in the vessels of their enemies. Accordingly, you will be pleased to recollect, that in the late case of Holland and Mackie, citizens of the United States, who had laden a cargo of flour on board a British vessel, which was taken by the French frigate l'Embuscade and brought into this port, when I reclaimed the cargo, it was only on the ground that they were ignorant of the declaration of war when it was shipped. You observed, however, that the 14th article of our treaty had provided that ignorance should not be pleaded beyond two months after the declaration of war, which term had elapsed in this case by some days, and finding that to be the truth, though their real ignorance of the declaration was equally true, I declined the reclamation, as it never was in my view to reclaim the cargo, nor apparently in yours to offer to restore it, by questioning the rule established in our treaty, that enemy bottoms make enemy goods. With England, Spain, Portugal, and Austria, we have no treaties: therefore, we have nothing to oppose to their acting according to the general law of nations, that enemy goods are lawful prize though found in the bottom of a friend. Nor do I see that France can suffer on the whole; for though she loses her goods in our vessels, when found therein by England, Spain, Portugal, or Austria, yet she gains our goods, when found in the vessels of England, Spain, Portugal, Austria, the United Netherlands, or Prussia: and I believe I may safely affirm that we have more goods afloat in the vessels of these six nations, than France has afloat in our vessels; and consequently, that France is the gainer, and we the loser by the principle of our treaty. Indeed, we are losers in every direction of that principle; for when it works in our favour, it is to save the goods of our friends, when it works against us, it is to lose our own; and we shall continue to lose while the rule is only partially established. When we shall have established it with all nations, we shall be in a condition neither to gain nor lose, but shall be less exposed to vexatious searches at sea. To this condition we are endeavouring to advance; but as it depends on the will of other nations as well as our own, we can only obtain it when they shall be ready to concur.

I cannot, therefore, but flatter myself, that on revising the cases of Ducamp and others, you will perceive that their losses result from the state of war, which has permitted their enemies to take their goods, though found in our vessels; and consequently, from circumstances over which we have no control.

The rudeness to their persons, practised by their enemies, is certainly not favourable to the character of the latter. We feel for it as much as for the extension of it to our own citizens, their companions, and find in it a motive the more for requiring measures to be taken which may prevent repetitions of it.

I have the honour to be, with great respect,
Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO MR. GENET.

Philadelphia, August 7, 1793.

SIR,

In a letter of June the 5th, I had the honour to inform you that the President, after reconsidering, at your request, the case of vessels armed within our ports to commit hostilities on nations at peace with the United States, had finally determined that it could not be admitted, and desired that all those which had been so armed should depart from our ports. It being understood afterwards, that these vessels either still remained in our ports, or had only left them to cruise on our coasts and return again with their prizes, and that another vessel, the Little Democrat, had been since armed at Philadelphia, it was desired in my letter of the 12th of July, that such vessels, with their prizes, should be detained, till a determination should be had of what was to be done under these circumstances. In disregard, however, of this desire, the Little Democrat went out immediately on a cruise.

I have it now in charge to inform you, that the President considers the United States as bound, pursuant to positive assurances, given in conformity to the laws of neutrality, to effectuate the restoration of, or to make compensation for, prizes, which shall have been made of any of the parties at war with France, subsequent to the fifth day of June last, by privateers fitted out of our ports.

That it is consequently expected, that you will cause restitution to be made of all prizes taken and brought into our ports subsequent to the above mentioned day by such privateers, in defect of which, the President considers it as incumbent upon the United States to indemnify the owners of those prizes, the indemnification to be reimbursed by the French nation.

That besides taking efficacious measures to prevent the future fitting out of privateers in the ports of the United States, they will not give asylum therein to any which shall have been at any time so fitted out, and will cause restitution of all such prizes as shall be hereafter brought within their ports by any of the said privateers.

It would have been but proper respect to the authority of the country, had that been consulted before these armaments were undertaken. It would have been satisfactory, however, if their sense of them, when declared, had been duly acquiesced in. Reparation of the injury to which the United States have been made so involuntarily instrumental, is all which now remains, and in this your compliance cannot but be expected.

In consequence of the information given in your letter of the 4th instant, that certain citizens of St. Domingo, lately arrived in the United States, were associating for the purpose of undertaking a military expedition from the territory of the United States, against that island, the governor of Maryland, within which state the expedition is understood to be preparing, is instructed to take effectual measures to prevent the same.

I have the honour to be, with great respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO GOUVERNEUR MORRIS.

Philadelphia, August 16, 1793.

SIR,

In my letter of January the 13th, I enclosed to you copies of several letters which had passed between Mr. Ternant, Mr. Genet, and myself, on the occurrences to which the present war had given rise within our ports. The object of this communication was to enable you to explain the principles on which our government was conducting itself towards the belligerent parties; principles which might not in all cases be satisfactory to all, but were meant to be just and impartial to all. Mr. Genet had been then but a little time with us; and but a little more was necessary to develop in him a character and conduct so unexpected and so extraordinary, as to place us in the most distressing dilemma, between our regard for his nation, which is constant and sincere, and a regard for our laws, the authority of which must be maintained; for the peace of our country, which the executive magistrate is charged to preserve, for its honour, offended in the person of that magistrate, and for its character, grossly traduced in the conversations and letters of this gentleman. In the course of these transactions, it has been a great comfort to us to believe, that none of them were within the intentions or expectations of his employers. These had been too recently expressed in acts which nothing could discolour, in the letters of the Executive Council, in the letter and decrees of the National Assembly, and in the general demeanour of the nation towards us, to ascribe to them things of so contrary a character. Our first duty, therefore, was, to draw a strong line between their intentions and the proceedings of their minister; our second, to lay those proceedings faithfully before them.

On the declaration of war between France and England, the United States being at peace with both, their situation was so new and unexperienced by themselves, that their citizens were not in the first instant, sensible of the new duties resulting therefrom, and of the restraints it would impose even *on their dispositions* towards the belligerent powers. Some of them imagined (and chiefly their transient sea-faring citizens) that they were free to indulge those dispositions, to take side with either party, and enrich themselves by depredations on the commerce of the other, and were meditating enterprises of this nature, as there was reason to believe. In this state of the public mind, and before it should take an erroneous direction, difficult to be set right, and dangerous to themselves and their country, the President thought it expedient, through the channel of a proclamation, to remind our fellow citizens that we were in a state of peace with all the belligerent powers, that in that state it was our duty neither to aid nor injure any, to exhort and warn them against acts which might contravene this duty, and particularly those of positive hostility, for the punishment of which the laws would be appealed to; and to put them on their guard also, as to the risks they would run, if they should attempt to carry articles of contraband to any. This proclamation, ordered on the 19th, and signed the 22nd day of April, was sent to you in my letter of the 26th of the same month.

On the day of its publication, we received, through the channel of the newspapers, the first intimation that Mr. Genet had arrived on the 8th of the month at Charleston, in the character of Minister Plenipotentiary from his nation to the United States, and soon after, that he had sent on to Philadelphia the vessel in which he came, and would himself perform the journey by land. His landing at one of the most distant ports of the Union from his points both of departure and destination, was calculated to excite attention; and, very soon afterwards, we learned that he was undertaking to authorise the fitting and arming vessels in that port, enlisting men, foreigners and citizens, and giving them commissions to cruise and commit hostilities on nations at peace with us; that these vessels were taking and bringing prizes into our ports; that the consuls of France were assuming to hold courts of admiralty on them, to try, condemn, and authorise their sale as legal prize, and all this before Mr. Genet had presented himself or his credentials to the President, before he was received by him, without his consent or consultation, and directly in contravention of the state of peace existing, and declared to exist in the President's proclamation, and incumbent on him to preserve till the constitutional authority should otherwise declare. These proceedings became immediately, as was naturally to be expected, the subject of complaint by the representative here of that power against whom they would chiefly operate. The British minister presented several memorials thereon, to which we gave the answer of May the 15th, heretofore inclosed to you, corresponding in substance with a letter of the same date written to Mr. Ternant, the minister of France then residing here, a copy of which I send herewith. On the next day Mr. Genet reached this place, about five or six weeks after he had arrived at Charleston, and might have been at Philadelphia, if he had steered for it directly. He was immediately presented to the President, and received by him as the minister of the republic; and as the conduct before stated seemed to bespeak a design of forcing us into the war without allowing us the exercise of any free will in the case, nothing could be more assuaging than his assurance to the President at his reception, which he repeated to me afterwards in conversation, and in public to the citizens of Philadelphia in answer to an address from them, that on account of our remote situation and other circumstances, France did not expect that we should become a party to the war, but wished to see us pursue our prosperity and happiness in peace. In a conversation a few days after, Mr. Genet told me, that M. de Ternant had delivered him my letter of May the 15th. He spoke something of the case of the Grange, and then of the armament at Charleston; explained the circumstances which had led him to it before he had been received by the government and had consulted its will; expressed a hope that the President had not so absolutely decided against the measure but that he would hear what was to be said in support of it; that he would write me a letter on the subject, in which he thought he could justify it under our treaty; but that if the President should finally determine otherwise, he must submit; for that assuredly his instructions were to do what would be agreeable to us. He accordingly wrote the letter of May the 27th. The President took the case again into consideration, and found nothing in that letter which could shake the grounds of his former decision. My letter of June the 5th notifying this to him, his of June the 8th and 14th, mine of the 17th, and his again of the 22d, will shew what further passed on this subject, and that he was far from retaining his disposition to acquiesce in the ultimate will of the President.

It would be tedious to pursue this and our subsequent correspondence through all their details. Referring, therefore, for these to the letters themselves, which shall accompany this, I will present a summary view only of the points of difference which have arisen, and the grounds on which they rest.

1. Mr. Genet asserts his right of arming in our ports and of enlisting our citizens, and that we have no right to restrain him or punish them. Examining this question under the law of nations, founded on the general sense and usage of mankind, we have produced proofs, from the most enlightened and approved writers on the subject, that a neutral nation must, in all things relating to the war, observe an exact impartiality towards the parties; that favours to one to the prejudice of the other, would import a fraudulent neutrality, of which no nation would be the dupe; that no succour should be given to either, unless stipulated by treaty, in men, arms, or any thing else directly serving for war; that the right of raising troops being one of the rights of sovereignty, and consequently appertaining exclusively to the nation itself, no foreign power or person can levy men within its territory without its consent, and he who does, may be rightfully and severely punished; that if the United States have a right to refuse the permission to arm vessels and raise men within their ports and territories, they are bound by the laws of neutrality to exer-

cise that right, and to prohibit such armaments and enlistments. To these principles of the law of nations Mr. Genet answers, by calling them 'diplomatic subtleties,' and 'aphorisms of Vattel and others.' But something more than this is necessary to disprove them; and till they are disproved, we hold it certain that the law of nations and the rules of neutrality forbid our permitting either party to arm in our ports.

But Mr. Genet says, that the twenty-second article of our treaty allows him *expressly* to arm in our ports. Why has he not quoted the very words of that article *expressly* allowing it? for that would have put an end to all further question. The words of the article are, 'it shall not be lawful for any foreign privateers not belonging to subjects of the M. C. King, nor citizens of the said United States, who have commissions from any foreign Prince or State, in enmity with either nation, to fit their ships in the ports of either the one or the other of the aforesaid parties.' Translate this from the general terms in which it here stands, into the special case produced by the present war. 'Privateers not belonging to France or the United States, and having commissions from the enemies of one of them,' are, in the present state of things, 'British, Dutch, and Spanish privateers.' Substituting these then for the equivalent terms, it will stand thus, 'it shall not be lawful for British, Dutch, or Spanish privateers to fit their ships in the ports of the United States.' Is this an *express* permission to France to do it? Does the negative to the enemies of France, and silence as to France herself, imply an affirmative to France? Certainly not; it leaves the question as to France open, and free to be decided according to circumstances. And if the parties had meant an affirmative stipulation, they would have provided for it expressly; they would never have left so important a point to be inferred from mere silence or implications. Suppose they had desired to stipulate a refusal to their enemies, but nothing to themselves; what form of expression would they have used? Certainly the one they have used; an express stipulation as to their enemies, and silence as to themselves. And such an intention corresponds not only with the words, but with the circumstances of the times. It was of value to each party to exclude its enemies from arming in the ports of the other, and could in no case embarrass them. They therefore stipulated so far mutually. But each might be embarrassed by permitting the other to arm in its ports. They therefore would not stipulate to permit that. Let us go back to the state of things in France when this treaty was made, and we shall find several cases wherein France could not have permitted us to arm in her ports. Suppose a war between these States and Spain. We know, that by the treaties between France and Spain, the former could not permit the enemies of the latter to arm in her ports. It was honest in her, therefore, not to deceive us by such a stipulation. Suppose a war between these States and Great Britain. By the treaties between France and Great Britain, in force at the signature of ours, we could not have been permitted to arm in the ports of France. She could not then have meant in this article to give us such a right. She has manifested the same sense of it in her subsequent treaty with England, made eight years after the date of ours, stipulating in the sixteenth article of it, as in our twenty-second, that foreign privateers, *not being subjects of either crown*, should not arm against either in the ports of the other. If this had amounted to an affirmative stipulation that the subjects of the other crown might arm in her ports *against us*, it would have been in direct contradiction to her twenty-second article with us. So that to give to these negative stipulations an affirmative effect, is to render them inconsistent with each other, and with good faith; to give them only their negative and natural effect, is to reconcile them to one another and to good faith, and is clearly to adopt the sense in which France herself has expounded them. We may justly conclude, then, that the article only obliges us to refuse this right, in the present case, to Great Britain and the other enemies of France. It does not go on to give it to France, either expressly or by implication. We may then refuse it. And since we are bound by treaty to refuse it to the one party, and are free to refuse it to that other, we are bound by the laws of neutrality to refuse it to the other. The aiding either party, then, with vessels, arms, or men, being unlawful by the law of nations, and not rendered lawful by the treaty, it is made a question, whether our citizens, joining in these unlawful enterprises, may be punished?

The United States being in a state of peace with most of the belligerent powers by treaty, and with all of them by the laws of nature, murders and robberies committed by our citizens within our territory, or on the high seas, on those with whom we are so at peace, are punishable equally as if committed on our own inhabitants. If I might venture to reason a little formally, without being charged with running into 'subtleties and aphorisms,' I would say, that if one citizen has a right to go to war of his own authority, every citizen has the same. If every citizen has that right, then the nation (which is composed of all its citizens) has a right to go to war, by the authority of its individual citizens. But this is not true, either on the general principles of society, or by our constitution, which gives that power to Congress alone, and not to the citizens individually. Then the first position was not true; and no citizen has a right to go to war of his own authority; and for what he does without right, he ought to be punished. Indeed, nothing can be more obviously absurd than, to say, that all the citizens may be at war, and yet the nation at peace.

It has been pretended, indeed, that the engagement of a citizen in an enterprize of this nature, was a divestment of the character of citizen, and a transfer of jurisdiction over him to another sovereign. Our citizens are certainly free to divest themselves of that character by emigration and other acts manifesting their intention, and may then become the subjects of another power, and free to do whatever the subjects of that power may do. But the laws do not admit that the bare commission of a crime amounts of itself to a divestment of the character of citizen, and withdraws the criminal from their coercion. They would never prescribe an illegal act among the legal modes by which a citizen might disfranchise himself; nor render treason, for instance, innocent by giving it the force of a dissolution of the obligation of the criminal to his country. Accordingly, in the case of Henfield, a citizen of these States, charged with having engaged in the port of Charleston, in an enterprize against nations at peace with us, and with having joined in the actual commission of hostilities, the Attorney General of the United States, in an official opinion, declared that the act with which he was charged was punishable by law. The same thing has been unanimously declared by two of the circuit courts of the United States, as you will see in the charges of Chief Justice Jay, delivered at Richmond, and Judge Wilson, delivered at Philadelphia, both of which are herewith sent. Yet Mr. Genet, in the moment he lands at Charleston, is able to tell the Governor, and continues to affirm in his correspondence here, that no law of the United States authorises their government to restrain either its own citizens or the foreigners inhabiting its territory, from warring against the enemies of France. It is true, indeed, that in the case of Henfield, the jury which tried, absolved him. But it appeared on the trial, that the crime was not knowingly and wilfully committed; that Henfield was ignorant of the unlawfulness of his undertaking; that in the moment he was apprised of it, he shewed real contrition; that he had rendered meritorious services during the late war, and declared he would live and die an American. The jury, therefore, in absolving him, did no more than the constitutional authority might have done, had they found him guilty: the constitution having provided for the pardon of offences in certain cases, and there being no case where it would have been more proper than where no offence was contemplated. Henfield, therefore, was still an American citizen, and Mr. Genet's reclamation of him was as unauthorised as the first enlistment of him.

2. Another doctrine advanced by Mr. Genet is, that our courts can take no cognizance of questions whether vessels, *held by theirs*, as prizes, are lawful prizes or not; that this jurisdiction belongs exclusively to their consulates here, which have been lately erected by the National Assembly into complete courts of admiralty.

Let us consider, first, what is the extent of jurisdiction which the consulates of France may rightfully exercise here. Every nation, has of natural right, entirely and exclusively all the jurisdiction which may be rightfully exercised in the territory it occupies. If it cedes any portion of that jurisdiction to judges appointed by another nation, the limits of their power must depend on the instrument of cession. The United States and France have, by their consular convention, given mutually to their consuls jurisdiction in certain cases especially enumerated. But that convention gives to neither the power of establishing complete courts of admiralty within the territory of the other, nor even of deciding the particular question of prize, or not prize. The consulates of France, then, cannot take judicial cognizance of those questions here. Of this opinion Mr. Genet was when he wrote his letter of May the 27th, wherein he promises to correct the error of the consul at Charleston, of whom, in my letter of the 15th instant, I had complained, as arrogating to himself that jurisdiction; though in his subsequent letters he has thought proper to embark in the errors of his consuls.

But the United States, at the same time, do not pretend any right to try the validity of captures made *on the high seas*, by France, or any other nation, over its enemies. These questions belong, of common usage, to the sovereign of the captor, and whenever it is necessary to determine them, resort must be had to his courts. This is the case provided for in the seventeenth article of the treaty, which says, that such prizes shall not be arrested, nor cognizance taken of the validity thereof; a stipulation much insisted on by Mr. Genet and the consuls, and which we never thought of infringing or questioning. As the validity of captures, then, made *on the high seas* by France over its enemies, cannot be tried within the United States by their consuls, so neither can it by our own courts. Nor is this the question between us, though we have been misled into it.

The real question is, whether the United States have not a right to protect vessels within their waters and on their coasts? The Grange was taken within the Delaware, between the shores of Jersey and of the Delaware State, and several miles above its mouth. The seizing her was a flagrant violation of the jurisdiction of the United States. Mr. Genet, however, instead of apologising, takes great merit in his letters for giving her up. The William is said to have been taken within two miles of the shores of the United States. When the admiralty declined cognizance of the case, she was delivered to the French consul, according to my letter of June the 25th, to be kept till the executive of the United States should examine into the case; and Mr. Genet was desired by my letter of June the 29th, to have them furnished with the evidence on behalf of the captors, as to the place of capture. Yet to this day it has never been done. The brig Fanny was alleged to be taken within five miles from our shore, the Catharine within two miles and a half. It is an essential attribute of the jurisdiction of every country to preserve peace, to punish acts in breach of it, and to restore property taken by force within its limits. Were the armed vessel of any nation to cut away one of our own from the wharves of Philadelphia, and to choose to call it a prize, would this exclude us from the right of redressing the wrong? Were it the vessel of another nation, are we not equally bound to protect it, while within our limits? Were it seized in any other of our waters, or on the shores of the United States, the right of redressing is still the same; and humble, indeed, would be our condition, were we obliged to depend for that on the will of a foreign consul, or on negotiation with diplomatic agents. Accordingly, this right of protection within its waters, and to a reasonable distance, on its coasts, has been acknowledged by every nation, and denied to none; and if the property seized be yet within their power, it is their right and duty to redress the wrong themselves. France herself has asserted the right in herself, and recognized it in us, in the sixth article of our treaty, where we mutually stipulate, that we will, *by all the means in our power* (not by negotiation), protect and defend each other's vessels and effects in our ports or roads, or on the seas near our countries, and recover and restore the same to the right owners. The United

Netherlands, Prussia, and Sweden, have recognized it also in treaties with us; and, indeed, it is a standing formule, inserted in almost all the treaties of all nations, and proving the principle to be acknowledged by all nations.

How, and by what organ of the government, whether judiciary or executive, it shall be redressed, is not yet perfectly settled with us. One of the subordinate courts of admiralty has been of opinion, in the first instance, in the case of the ship William, that it does not belong to the judiciary. Another, perhaps, may be of a contrary opinion. The question is still *sub judice*, and an appeal to the court of last resort will decide it finally. If finally the judiciary shall declare that it does not belong to the *civil* authority, it then results to the executive, charged with the direction of the *military* force of the Union, and the conduct of its affairs with foreign nations. But this is a mere question of internal arrangement between the different departments of the government, depending on the particular diction of the laws and constitution; and it can in nowise concern a foreign nation, to which department these have delegated it.

3. Mr. Genet, in his letter of July the 9th, requires that the ship Jane, which he calls an English privateer, shall be immediately ordered to depart; and to justify this, he appeals to the 22d article of our treaty, which provides that it shall not be lawful for any foreign *privateer* to fit their ships in our ports, to sell *what they have taken*, or purchase victuals, &c. The ship Jane is an English merchant vessel, which has been many years employed in the commerce between Jamaica and these States. She brought here a cargo of produce from that island, and was to take away a cargo of flour. Knowing of the war when she left Jamaica, and that our coast was lined with small French privateers, she armed for her defence, and took one of those commissions usually called *letters of marque*. She arrived here safely, without having had any rencounter of any sort. Can it be necessary to say that a merchant vessel is not a privateer? that though she has arms to defend herself in time of war, in the course of her regular commerce, this no more makes her a privateer, than a husbandman following his plough in time of war, with a knife or pistol in his pocket, is thereby made a soldier. The occupation of a privateer is attack and plunder, that of a merchant vessel is commerce and self-preservation. The article excludes the former from our ports, and from selling *what she has taken*, that is, what she has acquired by war, to shew it did not mean the merchant vessel and what she had acquired by commerce. Were the

merchant vessels coming for our produce forbidden to have any arms for their defence, every adventurer who had a boat, or money enough to buy one, would make her a privateer, our coasts would swarm with them, foreign vessels must cease to come, our commerce must be suppressed, our produce remain on our hands, or at least that great portion of it which we have not vessels to carry away, our ploughs must be laid aside, and agriculture suspended. This is a sacrifice no treaty could ever contemplate, and which we are not disposed to make out of mere complaisance to a false definition of the term *privateer*. Finding that the Jane had purchased new carriages to mount two or three additional guns, which she had brought in her hold, and that she had opened additional port-holes for them, the carriages were ordered to be re-landed, the additional port-holes stopped, and her means of defence reduced, to be exactly the same at her departure as at her arrival. This was done on the general principle of allowing no party to arm within our ports.

4. The seventeenth article of our treaty leaves armed vessels free to *conduct*, whithersoever they please, the ships and goods taken from their enemies without paying any duty, and to depart and be conducted freely to the places expressed in their commissions, which the captain shall be obliged to shew. It is evident, that this article does not contemplate a freedom *to sell their prizes* here, but, on the contrary, a *departure* to some other place, always to be expressed in their commission, where their validity is to be finally adjudged. In such case, it would be as unreasonable to demand duties on the goods they had taken from an enemy, as it would be on the cargo of a merchant vessel touching in our ports for refreshment or advices; and against this the article provides. But the armed vessels of France have been also admitted to land and sell their prize goods here for consumption, in which case it is as reasonable they should pay duties, as the goods of a merchantman landed and sold for consumption. They have, however, demanded, and as a matter of right, to sell them free of duty; a right, they say, given by this article of the treaty, though the article does not give the right to sell at all. Where a treaty does not give the principal right of selling, the additional one of selling duty free cannot be given; and the laws, in admitting the principal right of selling, may withhold the additional one of selling duty free. It must be observed, that our revenues are raised almost wholly on imported goods. Suppose prize goods enough should be brought in to supply our whole consumption. According to their construction, we are to lose our

whole revenue. I put the extreme case, to evince more extremely the unreasonableness of the claim. Partial supplies would affect the revenue but partially. They would lessen the evil, but not the error of the construction; and, I believe, we may say, with truth, that neither party had it in contemplation, when penning this article, to abandon any part of its revenue for the encouragement of the sea-robbers of the other.

5. Another source of complaint with Mr. Genet has been, that the English take French goods out of American vessels, which he says is against the law of nations, and ought to be prevented by us. On the contrary, we suppose it to have been long an established principle of the law of nations, that the goods of a friend are free in an enemy's vessel, and an enemy's goods lawful prize in the vessel of a friend. The inconvenience of this principle, which subjects merchant vessels to be stopped at sea, searched, ransacked, led out of their course, has induced several nations latterly to stipulate against it by treaty, and to substitute another in its stead, that free bottoms shall make free goods, and enemy bottoms enemy goods, a rule equal to the other in point of loss and gain, but less oppressive to commerce. As far as it has been introduced, it depends on the treaties stipulating it, and forms exceptions, in special cases, to the general operation of the law of nations. We have introduced it into our treaties with France, Holland, and Prussia; and French goods found by the two latter nations in American bottoms are not made prize of. It is our wish to establish it with other nations. But this requires their consent also, is a work of time, and in the meanwhile, they have a right to act on the general principle, without giving to us or to France cause of complaint. Nor do I see that France can lose by it on the whole. For though she loses *her* goods when found in our vessels by the nations with whom we have no treaties, yet she gains *our* goods when found in the vessels of the same and all other nations; and we believe the latter mass to be greater than the former. It is to be lamented, indeed, that the general principle has operated so cruelly in the dreadful calamity which has lately happened in St. Domingo. The miserable fugitives who, to save their lives, had taken asylum in our vessels, with such valuable and portable things as could be gathered in the moment out of the ashes of their houses and wrecks of their fortunes, have been plundered of these remains by the licensed sea rovers of their enemies. This has swelled, on this occasion, the disadvantages of the general principle, that ' an enemy's goods are free prize

in the vessels of a friend.' But it is one of those deplorable and unforeseen calamities to which they expose themselves who enter into a state of war, furnishing to us an awful lesson to avoid it by justice and moderation, and not a cause or encouragement to expose our own towns to the same burnings and butcheries, nor of complaint because we do not.

6. In a case like the present, where the missionary of one government construes differently from that to which he is sent, the treaties and laws which are to form a common rule of action for both, it would be unjust in either to claim an exclusive right of construction. Each nation has an equal right to expound the meaning of their common rules; and reason and usage have established, in such cases, a convenient and well understood train of proceeding. It is the right and duty of the foreign missionary to urge his own constructions, to support them with reasons which may convince, and in terms of decency and respect which may reconcile the government of the country to a concurrence. It is the duty of that government to listen to his reasonings with attention and candour, and to yield to them when just. But if it shall still appear to them that reason and right are on their side, it follows of necessity, that, exercising the sovereign powers of the country, they have a right to proceed on their own constructions and conclusions as to whatever is to be done within their limits. The minister then refers the case to his own government, asks new instructions, and, in the mean time, acquiesces in the authority of the country. His government examines his constructions, abandons them if wrong, insists on them if right, and the case then becomes a matter of negotiation between the two nations. Mr. Genet, however, assumes a new and bolder line of conduct. After deciding for himself ultimately, and without respect to the authority of the country, he proceeds to do what even his sovereign could not authorise, to put himself within the country on a line with its government, to act as co-sovereign of the territory; he arms vessels, levies men, gives commissions of war, independently of them, and in direct opposition to their orders and efforts. When the government forbids their citizens to arm and engage in the war, he undertakes to arm and engage them. When they forbid vessels to be fitted in their ports for cruising on nations with whom they are at peace, he commissions them to fit and cruise. When they forbid an unceded jurisdiction to be exercised within their territory by foreign agents, he undertakes to uphold that exercise, and to avow it openly. The privateers Citoyen Genet and Sans Culottes having been fitted out at Charleston (though

without the permission of the government, yet before it was forbidden), the President only required they might leave our ports, and did not interfere with their prizes. Instead, however, of their quitting our ports, the Sans Culottes remains still, strengthening and equipping herself, and the Citoyen Genet went out only to cruise on our coast, and to brave the authority of the country by returning into port again with her prizes. Though in the letter of June the 5th, the final determination of the President was communicated, that no future armaments in our ports should be permitted, the Vainqueur de la Bastille was afterwards equipped and commissioned in Charleston, the Anti-George in Savannah, the Carmagnole in Delaware, a schooner and a sloop in Boston, and the Polly or Republican was attempted to be equipped in New York, and was the subject of reclamation by Mr. Genet, in a style which certainly did not look like relinquishing the practice. The Sarah or Little Democrat was armed, equipped, and manned, in the port of Philadelphia, under the very eye of the government, as if meant to insult it. Having fallen down the river, and being evidently on the point of departure for a cruise, Mr. Genet was desired in my letter of July the 12th, on the part of the President, to detain her till some inquiry and determination on the case should be had. Yet within three or four days after, she was sent out, by orders from Mr. Genet himself, and is, at this time, cruising on our coasts, as appears by the protest of the master of one of our vessels maltreated by her.

The government, thus insulted and set at defiance by Mr. Genet, and committed in its duties and engagements to others, determined still to see in these proceedings but the character of the individual, and not to believe, and it does not believe, that they are by instructions from his employers. They had assured the British minister here, that the vessels already armed in our ports should be obliged to leave them, and that no more should be armed in them. Yet more had been armed, and those before armed had either not gone away, or gone only to return with new prizes. They now informed him that the order for departure should be enforced, and the prizes made contrary to it should be restored or compensated. The same thing was notified to Mr. Genet in my letter of August the 7th, and that he might not conclude the promise of compensation to be of no concern to him, and go on in his courses, he was reminded that it would be a fair article of account against his nation.

Mr. Genet, not content with using our force, whether we will or not, in the military line, against nations with whom we are at peace, undertakes also to direct the civil government; and particularly for the executive and legislative bodies, to pronounce what powers may or may not be exercised by the one or the other. Thus in his letter of June the 8th, he promises to respect the political opinions of the President, *till the Representatives shall have confirmed or rejected them;* as if the President had undertaken to decide what belonged to the decision of Congress. In his letter of June the 4th, he says, more openly, that the President ought not to have taken on himself to decide on the subject of the letter, but that it was of importance enough to have consulted Congress thereon; and in that of June the 22nd, he tells the President in direct terms that Congress ought already to have been occupied on certain questions which he had been too hasty in deciding: thus making himself, and not the President, the judge of the powers ascribed by the constitution to the executive, and dictating to him the occasion when he should exercise the power of convening Congress at an earlier day than their own act had prescribed.

On the following expressions no commentary shall be made.

July 9. 'Les principes philosophiques proclamées par le Président.'

June 22. 'Les opinions privées ou publiques de M. le Président, et cette égide ne paroissant pas suffisante.'

June 22. 'Le gouvernement fédéral s'est empressé, poussé par je ne sais quelle influence.'

June 22. 'Je ne puis attribuer des démarches de cette nature qu'a des impressions étrangères dont le tems et la vérité triompheront.'

June 25. 'On poursuit avec acharnement, en vertu des instructions de M. le Président, les armateurs Français.'

June 14. 'Ce refus tend à accomplir le système infernal du roi d'Angleterre, et des autres rois ses accomplices, pour faire périr par la famine les Républicains Français avec la liberté.

June 8. 'La lâche abandon de ses amis.'

July 25. 'En vain le désir de conserver la paix fait-il sacrifier les intérêts de la France à cet intérêt du moment; en vain le soif des richesses l'emporte-t-elle sur l'honneur dans la balance politique de l'Amérique. Tous ces ménagemens, toute cette condescendance, toute cette humilité, n'aboutissent à rien: nos ennemis en rient, et les Français trop confiants sont punis pour avoir cru que la nation Américaine avoit un pavillon, qu'elle avoit quelque égard pour ses loix, quelque conviction de ses forces, et qu'elle tenoit au sentiment de sa dignité. Il ne m'est pas possible de peindre toute ma sensibilité scandale qui tend à la diminution de votre commerce, à pression du nôtre, et à l'abaissement à l'avilissement des r liques. Si nos concitoyens ont été trompés, si vous point en état de soutenir la souveraineté de votre p parlez ; nous l'avons garantie quand nous étions esclaves saurons la rendre redoubtable étant devenus libres.'

We draw a veil over the sensations which these expre excite. No words can render them ; but they will not e the sensibility of a friendly and magnanimous nation, wh do us justice. We see in them neither the portrait of selves, nor the pencil of our friends; but an attempt t broil both ; to add still another nation to the enemies country, and to draw on both a reproach, which, it is h will never stain the history of either. The written proc which Mr. Genet was himself the bearer, were too u vocal to leave a doubt that the French nation are const their friendship to us. The resolves of their National vention, the letters of their Executive Council, attest truth, in terms which render it necessary to seek in some hypothesis the solution of Mr. Genet's machinations a our peace and friendship.

Conscious, on our part, of the same friendly and s dispositions, we can with truth affirm, both for our natio government, that we have never omitted a reasonable oc of manifesting them. For I will not consider as of tha racter, opportunities of sallying forth from our ports to lay, rob, and murder defenceless merchants and others, have done us no injury, and who were coming to trade us in the confidence of our peace and amity. The vio of all the laws of order and morality which bind ma together, would be an unacceptable offering to a just n Recurring then only to recent things, after so afflicting a we recollect with satisfaction, that in the course of two by unceasing exertions, we paid up seven years' arre and instalments of our debt to France, which the inefficie our first form of government had suffered to be accumul that, pressing on still to the entire fulfilment of our en ments, we have facilitated to Mr. Genet the effect of the i ments of the present year, to enable him to send relief fellow-citizens in France, threatened with famine: that first moment of the insurrection which threatened the c of St. Domingo, we stepped forward to their relief arms and money, taking freely on ourselves the ri an unauthorised aid, when delay would have been d that we have received, according to our best abilities, the wretched fugitives from the catastrophe of the principal town of that colony, who, escaping from the swords and flames of civil war, threw themselves on us, naked and houseless, without food or friends, money, or other means, their faculties lost and absorbed in the depth of their distresses: that the exclusive admission to sell here the prizes made by France on her enemies, in the present war, though unstipulated in our treaties, and unfounded in her own practice or in that of other nations, as we believe; the spirit manifested by the late grand jury in their proceedings against those who had aided the enemies of France with arms and implements of war; the expressions of attachment to his nation, with which Mr. Genet was welcomed on his arrival and journey from south to north; and our long forbearance under his gross usurpations and outrages of the laws and authority of our country, do not bespeak the partialities intimated in his letters. And for these things he rewards us by endeavours to excite discord and distrust between our citizens and those whom they have entrusted with their government, between the different branches of our government, between our nation and his. But none of these things, we hope, will be found in his power. That friendship which dictates to us to bear with his conduct yet a while, lest the interests of his nation here should suffer injury, will hasten them to replace an agent whose dispositions are such a misrepresentation of theirs, and whose continuance here is inconsistent with order, peace, respect, and that friendly correspondence which we hope will ever subsist between the two nations. His government will see too that the case is pressing. That it is impossible for two sovereign and independent authorities to be going on within our territory at the same time, without collision. They will foresee that if Mr. Genet perseveres in his proceedings, the consequences would be so hazardous to us, the example so humiliating and pernicious, that we may be forced even to suspend his functions before a successor can arrive to continue them. If our citizens have not already been shedding each other's blood, it is not owing to the moderation of Mr. Genet, but to the forbearance of the government. It is well known that if the authority of the laws had been resorted to, to stop the Little Democrat, its officers and agents were to have been resisted by the crew of the vessel, consisting partly of American citizens. Such events are too serious, too possible, to be left to hazard, or to what is more than hazard, the will of an agent whose designs are so mysterious.

Lay the case then immediately before his government. Accompany it with assurances, which cannot be stronger than true, that our friendship for the nation is constant and unabating; that, faithful to our treaties, we have fulfilled them in every point to the best of our understanding; that if, in any thing, however, we have construed them amiss, we are ready to enter into candid explanations, and to do whatever we can be convinced is right; that in opposing the extravagances of an agent, whose character they seem not sufficiently to have known, we have been urged by motives of duty to ourselves and justice to others, which cannot but be approved by those who are just themselves; and, finally, that after independence and self-government, there is nothing we more sincerely wish than perpetual friendship with them.

I have the honour to be, with great respect and esteem,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.*

CIRCULAR TO THE MERCHANTS OF THE UNITED STATES.

Philadelphia, August 23, 1793.

GENTLEMEN,

Complaint having been made to the government of the United States of some instances of unjustifiable vexation and spoliation committed on our merchant vessels by the privateers of the powers at war, and it being possible that other instances may have happened of which no information has been given to the government, I have it in charge from the President, to assure the merchants of the United States concerned in foreign commerce or navigation, that due attention will be paid to any injuries they may suffer on the high seas or in foreign countries, contrary to the law of nations, or to existing treaties; and that on their forwarding hither well authenticated evidence of the same, proper proceedings will be adopted for their relief. The just and friendly dispositions of the several belligerent powers, afford well founded expectation that they will not hesitate to take effectual measures for restraining their armed vessels from committing aggressions and vexations on our citizens or their property.

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* A copy of the preceding letter was sent, inclosed by the Secretary of State, to Mr. Genet

There being no particular portion or description of the mercantile body pointed out by the laws for receiving communications of this nature, I take the liberty of addressing it to the merchants of * * * for the State of * * * and of requesting that, through them, it may be made known to all those of their State whom it may concern. Information will be freely received either from the individuals aggrieved, or from any associations of merchants who will be pleased to take the trouble of giving it, in a case so interesting to themselves and their country.

I have the honour to be, with great respect,
Gentlemen,
Your most obedient servant,
TH. JEFFERSON.

TO MR. GORE.

Philadelphia, September 2, 1793.

SIR,

The President is informed, through the channel of a letter from yourself to Mr. Lear, that M. Duplaine, consul of France at Boston, has lately, with an armed force, seized and rescued a vessel from the officer of a court of justice, by process from which she was under arrest in his custody; and that he has, in like manner, with an armed force, opposed and prevented the officer charged with process from a court against another vessel, from serving that process. This daring violation of the laws requires the more attention, as it is by a foreigner clothed with a public character, arrogating an unfounded right to admiralty jurisdiction, and probably meaning to assert it by this act of force. You know that by the law of nations consuls are not diplomatic characters, and have no immunities whatever against the laws of the land. To put this altogether out of dispute, a clause was inserted in our consular convention with France, making them amenable to the laws of the land, as other inhabitants. Consequently, M. Duplaine is liable to arrest, imprisonment, and other punishments, even capital, as other foreign subjects resident here. The President therefore desires that you will immediately institute such a prosecution against him, as the laws will warrant. If there be any doubt as to the character of his offence, whether of a higher or lower grade, it will be best to prosecute for that which will admit the least doubt; because an acquittal, though it might be founded merely on the opinion that the grade of offence with which he is *charged* is higher than his *act* would support, yet it might be construed by the uninformed to be a judiciary decision against his amenability to the law, or perhaps in favour of the jurisdiction these consuls are assuming. The process, therefore, should be of the surest kind, and all the proceedings well grounded. In particular, if an arrest, as is probable, be the first step, it should be so managed as to leave room neither for escape nor rescue. It should be attended with every mark of respect, consistent with safe custody, and his confinement as mild and comfortable also, as that would permit. These are the distinctions to which a consul is entitled, that is to say, of a particular decorum of deportment towards him, indicative of respect to the sovereign whose officer he is.

The President also desires you will immediately obtain the best evidence it shall be in your power to procure, under oath or affirmation, of the transaction stated in your letter; and that in this you consider yourself as acting as much on behalf of M. Duplaine as the public, the candid truth of the case being exactly that which is desired, as it may be the foundation of an act, the justice of which should be beyond all question. This evidence I shall be glad to receive with as few days, or even hours, of delay as possible.

I am also instructed to ask the favour of you to communicate copies of any memorials, representations, or other written correspondence, which may have passed between the Governor and yourself, with respect to the privateers and prizes which have been the subject of your letters to Mr. Lear.

I have the honour to be, with great respect,
Sir,
Your most obedient servant,
TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, September 5, 1793.

SIR,

I am honoured with yours of August the 30th. Mine of the 7th of that month assured you that measures were taking for excluding from all further asylum in our ports, vessels armed in them to cruise on nations with which we are at peace, and for the restoration of the prizes, the Lovely Lass, Prince

William Henry, and the Jane of Dublin; and that should the measures of restitution fail in their effect, the President considers it as incumbent on the United States to make compensation for the vessels.

We are bound by our treaties with three of the belligerent nations, *by all the means in our power* to protect and defend their vessels and effects in our ports or waters, or on the seas near our shores, and to recover and restore the same to the right owners when taken from them. If all the means in our power are used, and fail in their effect, we are not bound by our treaties with those nations to make compensation.

Though we have no similar treaty with Great Britain, it was the opinion of the President that we should use towards that nation the same rule which, under this article, was to govern us with the other nations; and even to extend it to captures made on *the high seas* and brought into our ports, if done by vessels which had been armed within them.

Having, for particular reasons, forborne to use *all the measures in our power* for the restitution of the three vessels mentioned in my letter of August the 7th, the President thought it incumbent on the United States to make compensation for them; and though nothing was said in that letter of other vessels taken under like circumstances, and brought in after the 5th of June, and *before the date of that letter*, yet where the same forbearance had taken place, it was his opinion that compensation would be equally due.

As to prizes made under the same circumstances, and brought in *after the date of that letter*, the President determined that all the means in our power should be used for their restitution. If these fail us, as we should not be bound by our treaties to make compensation to the other powers in the analogous case, he did not mean to give an opinion that it ought to be done to Great Britain. But still, if any cases shall arise subsequent to that date, the circumstances of which shall place them on similar ground with those before it, the President would think compensation equally incumbent on the United States.

Instructions are given to the Governors of the different States, to use all the means in their power for restoring prizes of this last description, found within their ports. Though they will of course take measures to be informed of them, and the General Government has given them the aid of the Custom House officers for this purpose, yet you will be sensible of the importance of multiplying the channels of their information, as far as shall depend on yourself or any person under your direction, in order that the government may use the means in their power for making restitution. Without knowledge of the capture, they cannot restore it. It will always be best to give the notice to them directly; but any information which you shall be pleased to send to me also, at any time, shall be forwarded to them as quickly as the distance will permit.

Hence you will perceive, Sir, that the President contemplates restitution or *compensation*, in the cases *before* the seventh of August, and, *after* that date, *restitution*, if it can be effected by any means in our power: and that it will be important that you should substantiate the fact that such prizes are in our ports or waters.

Your list of the privateers illicitly armed in our ports, is, I believe, correct.

With respect to losses by detention, waste, spoliation, sustained by vessels taken, as before mentioned, between the dates of June the 5th and August the 7th, it is proposed, as a provisional measure, that the collector of the customs of the district, and the British consul, or any other person you please, shall appoint persons to establish the value of the vessel and cargo, at the times of her capture and of her arrival in the port into which she is brought, according to their value in that port. If this shall be agreeable to you, and you will be pleased to signify it to me, with the names of the prizes understood to be of this description, instructions will be given, accordingly, to the collectors of the customs where the respective vessels are.

I have the honour to be, with great respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. PINCKNEY.

Philadelphia, September 7, 1793.

SIR,

We have received, through a channel which cannot be considered as authentic, the copy of a paper, styled 'Additional instructions to the commanders of his Majesty's ships of war and privateers, &c.' dated at St. James's, June 8, 1793. If this paper be authentic, I have little doubt but that you will have taken measures to forward it to me. But as your communication of it may miscarry, and time in the mean while be lost, it has been thought better that it should be supposed authentic: that on that supposition I should notice to you its very exceptionable nature, and the necessity of obtaining explanations on the subject from the British government; desiring, at the same time, that you will consider this letter as provisionally written only, and as if never written, in the event that the paper which is the occasion of it be not genuine.

The first article of it permits all vessels laden wholly or in part with corn, flour, or meal, bound to any port in France, to be stopped, and sent into any British port, to be purchased by that government, or to be released only on the condition of security given by the master, that he will proceed to dispose of his cargo in the ports of some country *in amity with his Majesty.*

This article is so manifestly contrary to the law of nations, that nothing more would seem necessary than to observe that it is so. Reason and usage have established, that when two nations go to war, those who choose to live in peace retain their natural right to pursue their agriculture, manufactures, and other ordinary vocations; to carry the produce of their industry for exchange to all nations, belligerent or neutral, as usual; to go and come freely without injury or molestation; and, in short, that the war among others shall be, for them, as if it did not exist. One restriction on their natural rights has been submitted to by nations at peace, that is to say, that of not furnishing to either party implements merely of war for the annoyance of the other, nor anything whatever to a place blockaded by its enemy. What these implements of war are, has been so often agreed and is so well understood, as to leave little question about them at this day. There does not exist, perhaps, a nation in our common hemisphere, which has not made a particular enumeration of them in some or all of their treaties, under the name of contraband. It suffices for the present occasion, to say, that corn, flour, and meal are not of the class of contraband, and consequently remain articles of free commerce. A culture which, like that of the soil, gives employment to such a proportion of mankind, could never be suspended by the whole earth, or interrupted for them, whenever any two nations should think proper to go to war.

The state of war, then, existing between Great Britain and France, furnishes no legitimate right either to interrupt the agriculture of the United States, or the peaceable exchange of its produce with all nations; and consequently, the assumption of it will be as lawful hereafter as now, in peace as in war.

No ground, acknowledged by the common reason of mankind, authorizes this act now, and unacknowledged ground may be taken at any time, and at all times. We see, then, a practice begun, to which no time, no circumstances, prescribe any limits, and which strikes at the root of our agriculture, that branch of industry which gives food, clothing, and comfort to the great mass of the inhabitants of these States. If any nation whatever has a right to shut up to our produce all the ports of the earth except her own and those of her friends, she may shut up these also, and so confine us within our own limits. No nation can subscribe to such pretensions; no nation can agree, at the mere will or interest of another, to have its peaceable industry suspended, and its citizens reduced to idleness and want. The loss of our produce destined for foreign markets, or that loss which would result from an arbitrary restraint of our markets, is a tax too serious for us to acquiesce in. It is not enough for a nation to say, we and our friends will buy your produce. We have a right to answer, that it suits us better to sell to their enemies as well as their friends. Our ships do not go to France to return empty. They go to exchange the surplus of one produce which we can spare, for surpluses of other kinds which they can spare and we want; which they can furnish on better terms, and more to our mind, than Great Britain or her friends. We have a right to judge for ourselves what market best suits us, and they have none to forbid to us the enjoyment of the necessaries and comforts which we may obtain from any other independent country.

This act, too, tends directly to draw us from that state of peace in which we are wishing to remain. It is an essential character of neutrality to furnish no aids (not stipulated by treaty) to one party, which we are not equally ready to furnish to the other. If we permit corn to be sent to Great Britain and her friends, we are equally bound to permit it to France. To restrain it would be a partiality which might lead to war with France; and between restraining it ourselves, and permitting her enemies to restrain it unrightfully, is no difference. She would consider this as a mere pretext, of which she would not be the dupe; and on what honourable ground could we otherwise explain it? Thus we should see ourselves plunged by this unauthorized act of Great Britain into a war with which we meddle not, and which we wish to avoid if justice to all parties and from all parties will enable us to avoid it. In the case where we found ourselves obliged by treaty to withhold from the enemies of France the right of arming in our ports, we thought ourselves in justice bound to withhold the same right from France also, and we did it. Were we to withhold from her supplies of provisions, we should in like manner be bound to withhold them from her enemies also; and thus shut to ourselves all the ports of Europe where corn is in demand, or make ourselves parties in the war. This is a dilemma which Great Britain has no right to force upon us, and for which no pretext can be found in any part of our conduct. She may indeed feel the desire of starving an enemy nation; but she can have no right of doing it at our loss, nor of making us the instruments of it.

The President, therefore, desires, that you will immediately enter into explanations on this subject with the British government. Lay before them, in friendly and temperate terms, all the demonstrations of the injury done us by this act, and endeavour to obtain a revocation of it, and full indemnification to any citizens of these States who may have suffered by it in the mean time. Accompany your representations by every assurance of our earnest desire to live on terms of the best friendship and harmony with them, and to found our expectations of justice on their part, on a strict observance of it on ours.

It is with concern, however, I am obliged to observe, that so marked has been the inattention of the British court to every application which has been made to them on any subject, by this government, (not a single answer, I believe, having ever been given to one of them, except in the act of exchanging a minister), that it may become unavoidable, in certain cases, where an answer of some sort is necessary, to consider their silence as an answer. Perhaps this is their intention. Still, however, desirous of furnishing no colour of offence, we do not wish you to name to them any term for giving an answer. Urge one as much as you can without commitment, and on the first day of December be so good as to give us information of the state in which this matter is, that it may be received during the session of Congress.

The second article of the same instruction allows the armed vessels of Great Britain to seize for condemnation all vessels, on their first attempt to enter a blockaded port, except those of Denmark and Sweden, which are to be prevented only, but not seized, on their first attempt. Of the nations inhabiting the shores of the Atlantic ocean, and practising its navigation, Denmark, Sweden, and the United States alone are neutral. To declare, then, all *neutral* vessels (for as to the vessels of the *belligerent* powers no order was necessary) to be legal prize, which shall attempt to enter a blockaded port, except those of

Denmark and Sweden, is exactly to declare *that the vessels of the United States* shall be lawful prize, and those of Denmark and Sweden shall not. It is of little consequence that the article has avoided naming the United States, since it has used a description applicable to them, and to them alone, while it exempts the others from its operation by name. You will be pleased to ask an explanation of this distinction: and you will be able to say, in discussing its justice, that in every circumstance, we treat Great Britain on the footing of the most favoured nation where our treaties do not preclude us, and that even these are just as favourable to her, as hers are to us. Possibly she may be bound by treaty to admit this exception in favour of Denmark and Sweden. But she cannot be bound by treaty to withhold it from us. And if it be withheld merely because not established with us by treaty, what might not we, on the same ground, have withheld from Great Britain during the short course of the present war, as well as the peace which preceded it?

Whether these explanations with the British government shall be verbal or in writing, is left to yourself. Verbal communications are very insecure; for it is only to deny them or to change their terms, in order to do away their effect at any time. Those in writing have as many and obvious advantages, and ought to be preferred, unless there be obstacles of which we are not apprised.

I have the honour to be, with great and sincere esteem,

Dear Sir,

Your most obedient humble servant,

TH. JEFFERSON.

TO MR. HAMMOND.

Philadelphia, September 9, 1793.

Sir,

I have the honour to acknowledge the receipt of your two memorials of the 4th and 6th instant, which have been duly laid before the President of the United States.

You cannot be uninformed of the circumstances which have occasioned the French squadron now in New York to seek asylum in the ports of the United States. Driven from those where they were on duty, by the superiority of the adverse party in the civil war which has so unhappily afflicted the colonies of France, filled with the wretched fugitives from the same scenes of distress and desolation, without water or provisions for the shortest voyage, their vessels scarcely in a condition to keep the sea at all, they were forced to seek the nearest ports in which they could be received and supplied with necessaries. That they have ever been out again to cruise, is a fact we have never learned, and which, we believe, to be impossible, from the information received of their wants and other impediments to active service. This case has been noted specially, to shew that no inconvenience can have been produced to the trade of the other belligerent powers, by the presence of this fleet in our harbours. I shall now proceed to more general ground.

France, England, and all other nations have a right to cruise on our coasts; a right not derived from our permission, but from the law of nature. To render this more advantageous, France has secured to herself, by a treaty with us (as she has done also by a treaty with Great Britain, in the event of a war with us or any other nation), two special rights. 1. Admission for her prizes and privateers into our ports. This, by the seventeenth and twenty-second articles, is secured to her exclusively of her enemies, as is done for her in the like case by Great Britain, were her present war with us instead of Great Britain. 2. Admission for her public vessels of war into our ports, in cases of stress of weather, pirates, enemies, or other urgent necessity, to refresh, victual, repair, &c. This is not exclusive. As then we are bound by treaty to receive the public armed vessels of France, and are not bound to exclude those of her enemies, the executive has never denied the same right of asylum in our ports to the public armed vessels of your nation. They, as well as the French, are free to come into them in all cases of weather, piracies, enemies, or other urgent necessity, and to refresh, victual, repair, &c. And so many are these urgent necessities, to vessels far from their own ports, that we have thought inquiries into the nature as well as the degree of the necessities which drive them hither, as endless as they would be fruitless, and therefore have not made them. And the rather, because there is a third right, secured to neither by treaty, but due to both on the principles of hospitality between friendly nations, that of coming into our ports, not *under the pressure of urgent necessity*, but whenever their comfort or convenience induces them. On this ground, also, the two nations are on a footing.

As it has never been conceived that either would detain their ships of war in our ports when they were in a condition for action, we have never conceived it necessary to prescribe any limits to the time of their stay. Nor can it be viewed as an injury to either party, to let their enemies lie still in our ports from year's end to year's end, if they choose it. Thus, then, the public ships of war of both nations enjoy a perfect equality in our ports; first, in cases of urgent necessity; secondly, in cases of comfort or convenience; and thirdly, in the time they choose to continue; and all a friendly power can ask from another is, to extend to her the same indulgences which she extends to other friendly powers. And though the admission of the prizes and privateers of France is exclusive, yet it is the effect of treaty made long ago, for valuable considerations, not with a view to the present circumstances, nor against any nation in particular, but all in general, and may, therefore, be faithfully observed without offence to any; and we mean faithfully to observe it. The same exclusive article has been stipulated, as was before observed, by Great Britain in her treaty with France, and indeed is to be found in the treaties between most nations.

With respect to the usurpation of admiralty jurisdiction by the consuls of France, within these states, the honour and rights of the States themselves were sufficient motives for the executive to take measures to prevent its continuance, as soon as they were apprised of it. They have been led by particular considerations to await the effect of these measures, believing they would be sufficient; but finding at length they were not, such others have been lately taken as can no longer fail to suppress this irregularity completely.

The President is duly sensible of the character of the act of opposition made to the serving of legal process on the brig William Tell, and he presumes the representations made on that subject to the minister of France, will have the effect of opening a free access to the officer of justice, when he shall again present himself with the precept of his court.

I have the honour to be, with great respect,

Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO MR. GENET.

Philadelphia, September 9, 1793.

SIR,

In my letter of June the 25th, on the subject of the ship William, and generally of vessels suggested to be taken within the limits of the protection of the United States by the armed vessels of your nation, I undertook to assure you it would be more agreeable to the President, that such vessels should be detained under the orders of yourself or the consul of France, than by a military guard, until the government of the United States should be able to inquire into and decide on the fact. In two separate letters of the 29th of the same month, I had the honour to inform you of the claims lodged with the executive for the same ship William and the brig Fanny, to inclose you the evidence on which they were founded, and to desire that if you found it just, you would order the vessels to be delivered to the owners; or if overweighed in your judgment by any contradictory evidence which you might have or acquire, you would do me the favour to communicate that evidence: and that the consuls of France might retain the vessels in their custody, in the mean time, until the executive of the United States should consider and decide finally on the subject.

When that mode of proceeding was consented to for your satisfaction, it was by no means imagined it would have occasioned such delays of justice to the individuals interested. The President is still without information, either that the vessels are restored, or that you have any evidence to offer as to the place of capture. I am, therefore, Sir, to repeat the request of early information on this subject, in order that if any injury has been done those interested, it may be no longer aggravated by delay.

The intention of the letter of June the 25th having been to permit such vessels to remain in the custody of the consuls, instead of that of a military guard (which in the case of the ship William appeared to have been disagreeable to you), the indulgence was of course to be understood as going only to cases which the executive might take, or keep possession of, with a military guard, and not to interfere with the authority of the courts of justice in any case wherein they should undertake to act. My letter of June the 29th, accordingly, in the same case of the ship William, informed you that no power in this country could take a vessel out of the custody of the courts, and that it was only because they decided not to take cognizance of that case, that it resulted to the executive to interfere in it. Consequently, this alone put it in their power to leave the vessel in the hands of the consul. The courts of justice exercise the sovereignty of this country in judiciary matters; are supreme in these, and liable neither to control nor opposition from any other branch of the government. We learn, however, from the inclosed paper, that the consul of New York, in the first instance, and yourself in a subsequent one, forbade an officer of justice to serve the process with which he was charged from his court, on the British brig William Tell, taken by a French armed vessel within a mile of our shores, as has been deposed on oath, and brought into New York, and that you had even given orders to the French squadron there, to protect the vessel against any person who should attempt to take her from their custody. If this opposition were founded, as is there suggested, on the indulgence of the letters before cited, it was extending that to a case not within their purview; and even had it been precisely the case to which they were to be applied, is it possible to imagine you might assert it within the body of the country by force of arms?

I forbear to make the observations which such a measure must suggest, and cannot but believe that a moment's reflection will evince to you the depth of the error committed in this opposition to an officer of justice, and in the means proposed to be resorted to in support of it. I am, therefore, charged to declare to you, expressly, that the President expects and requires that the officer of justice be not obstructed in freely and peaceably serving the process of his court, and that, in the mean time, the vessel and her cargo be not suffered to depart till the judiciary, if it will undertake it, or himself if not, shall decide whether the seizure has been made within the limits of our protection.

I have the honour to be, with great respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO COLONEL HUMPHREYS.

Philadelphia, September 11, 1793.

Dear Sir,

I have to acknowledge yours of May the 19th and 29th, and July 20th; being Nos. 72, 73 and 76. It is long since I wrote to you, because I know you must be where you could not receive my letters: and perhaps it may be some time before I write to you again, on account of a contagious and mortal fever which has arisen here, and is driving us all away. It is called a yellow fever, but is like nothing known or read of by the physicians. The week before last the deaths were about forty; the last week about eighty; and this week, I think they will be two hundred; and it goes on spreading. All persons who can find asylum elsewhere, are flying from the city: this will doubtless extend it to other towns, and spread it through the country, unless an early winter should stop it. Colonel Hamilton is ill of it, but is on the recovery.

The Indians have refused to meet our commissioners unless they would agree to the Ohio as our boundary, by way of preliminary article. This being impossible, because of the army locations and sales to individuals beyond the Ohio, the war is to go on, and we may soon expect to hear of General Wayne's being in motion.

The President set out yesterday for Mount Vernon, according to an arrangement of some time ago. General Knox is setting out for Massachusetts, and I am thinking to go to Virginia in some days. When and where we shall re-assemble, will depend on the course of this malady.

I have the honour to be, with great and sincere esteem and respect,

Dear Sir,
Your affectionate friend and servant,
Th. Jefferson.

TO MR. GENET.

Monticello, October 3, 1793.

Sir,

In a former letter which I had the honour of writing you, I mentioned that information had been received that M. Duplaine, vice consul of France, at Boston, had been charged with an opposition to the laws of the land, of such a character, as if true would render it the duty of the President immediately to revoke the Exequatur, whereby he is permitted to exercise the functions of vice consul in these United States. The fact has been since inquired into, and I now inclose you copies of the evidence establishing it; whereby you will perceive how inconsistent with peace and order it would be, to permit, any longer, the exercise of functions in these United States, by a person capable of mistaking their legitimate extent so far, as to oppose, by force of arms, the course of the laws within the body of the country. The wisdom and justice of the government of France, and their sense of the necessity in every government, of preserving the course of the laws free and unobstructed, render us confident that they will approve this necessary arrestation of the proceedings of one of their agents; as we would certainly do in the like case, were any consul or vice consul of ours to oppose with an armed force, the course of their laws within their own limits. Still, however, indispensable as this act has been, it is with the most lively concern the President has seen that the evil could not be arrested otherwise than by an appeal to the authority of the country.

I have the honour to be, with great esteem and respect,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. GENET.

Germantown, November 8, 1793.

SIR,

I have now to acknowledge and answer your letter of September the 13th, wherein you desire that we may define the extent of the line of territorial protection on the coasts of the United States, observing that governments and jurisconsults have different views on this subject.

It is certain that, heretofore, they have been much divided in opinion, as to the distance from their sea coast to which they might reasonably claim a right of prohibiting the commitment of hostilities. The greatest distance to which any respectable assent among nations has been at any time given, has been the extent of the human sight, estimated at upwards of twenty miles; and the smallest distance, I believe, claimed by any nation whatever, is the utmost range of a cannon ball, usually stated at one sea league. Some intermediate distances have also been insisted on, and that of three sea leagues has some authority in its favour. The character of our coast, remarkable in considerable parts of it for admitting no vessels of size to pass the shores, would entitle us in reason to as broad a margin of protected navigation as any nation whatever. Not proposing, however, at this time, and without a respectful and friendly communication with the powers interested in this navigation, to fix on the distance to which we may ultimately insist on the right of protection, the President gives instructions to the officers acting under his authority, to consider those heretofore given them as restrained, for the present, to the distance of one sea league, or three geographical miles, from the sea shore. This distance can admit of no opposition, as it is recognized by treaties between some of the powers with whom we are connected in commerce and navigation, and is as little or less than is claimed by any of them on their own coasts.

Future occasions will be taken to enter into explanations with them, as to the ulterior extent to which we may reasonably carry our jurisdiction. For that of the rivers and bays of the United States, the laws of the several States are understood to have made provision, and they are moreover, as being land-locked, within the body of the United States.

Examining by this rule the case of the British brig Fanny, taken on the 8th of May last, it appears from the evidence that the capture was made four or five miles from the land; and consequently, without the line provisionally adopted by the President, as before mentioned.

I have the honour be, with sentiments of respect and esteem,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. GENET.

Germantown, November 22, 1793.

SIR,

In my letter of October the 2d, I took the liberty of noticing to you, that the commission of consul to M. Dannery ought to have been addressed to the President of the United States. He being the only channel of communication between this country and foreign nations, it is from him alone that foreign nations or their agents are to learn what is or has been the will of the nation, and whatever he communicates as such, they have a right and are bound to consider as the expression of the nation, and no foreign agent can be allowed to question it, to interpose between him and any other branch of government, under the pretext of either's transgressing their functions, nor to make himself the umpire and final judge between them. I am, therefore, Sir, not authorised to enter into any discussions with you on the meaning of our constitution in any part of it, or to prove to you that it has ascribed to him alone the admission or interdiction of foreign agents. I inform you of the fact by authority from the President. I had observed to you, that we were persuaded in the case of the consul Dannery, the error in the address had proceeded from no intention in the Executive Council of France to question the functions of the President, and therefore no difficulty was made in issuing the commissions. We are still under the same persuasion. But in your letter of the 14th instant, you *personally* question the authority of the President, and in consequence of that, have not addressed to him the commission of Messrs. Pennevert and Chervi. Making a point of this formality on your part, it becomes necessary to make a point of it on ours also; and I am therefore charged to return you those commissions, and to inform you, that, bound to enforce respect to the order of things established by our constitution, the President will issue no Exequatur to any consul or vice consul, not directed to him in the usual form, after the party from whom it comes has been apprised that such should be the address.

I have the honour to be, with respect,
Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO MR. GENET.

Philadelphia, December 9, 1793.

SIR,

I have to acknowledge the receipt of your letter of the 3rd instant, which has been duly laid before the President.

We are very far from admitting your principle, that the government on either side has no other right, on the presentation of a consular commission, than to certify that, having examined it, they find it according to rule. The governments of both nations have a right, and that of yours has exercised it as to us, of considering the character of the person appointed; the place for which he is appointed, and other material circumstances: and of taking precautions as to his conduct, if necessary: and this does not defeat the general object of the convention, which, in stipulating that consuls shall be permitted on both sides, could not mean to supersede reasonable objections to particular persons, who might at the moment be obnoxious to the nation to which they were sent, or whose conduct might render them so at any time after. In fact, every foreign agent depends on the double will of the two governments, of that which sends him, and of that which is to permit the exercise of his functions within their territory; and when either of these wills is refused or withdrawn, his authority to act within that territory becomes incomplete. By what member of the government the right of giving or withdrawing permission is to be exercised here, is a question on which no foreign agent can be permitted to make himself the umpire. It is sufficient for him, under our government, that he is informed of it by the executive.

On an examination of the commissions from your nation, among our records, I find that before the late change in the form of our government, foreign agents were addressed, sometimes to the United States, and sometimes to the Congress of the United States, that body being then executive as well as legislative. Thus the commissions of Messrs. L'Etombe, Holker, Daunemanis, Marbois, Creve-cœur, and Chateaufort, have all this clause, 'Prions et requérons nos très chers et grands amis et alliés, les Etat Unis de l'Amérique Septentrionale, leurs gouverneurs, et autres officers, &c. de laisser jouir, &c. le dit sieur, &c. de la charge de notre consul, &c.' On the change in the form of our government, foreign nations, not undertaking to decide to what member of the new government their agents should be addressed, ceased to do it to Congress, and adopted the general address to the United States, before cited. This was done by the government of your own nation, as appears by the commissions of Messrs. Mangourit and La Forest, which have in them the clause before cited. So your own commission was, not as M. Gerond's and Luzerne's had been, 'à nos très chers, &c., le Président et membres du Congrés Général des Etats Unis,' &c., but 'à nos très chers, &c., les Etats Unis de l'Amérique,' &c. Under this general address, the proper member of the government was included, and could take it up. When, therefore, it was seen in the commissions of Messrs. Dupont and Hauterieve, that your executive had returned to the ancient address to Congress, it was conceived to be an inattention, insomuch, that I do not recollect (and I do not think it material enough to inquire) whether I noticed it to you either verbally or by letter. When that of M. Dannery was presented, with the like address, being obliged to notice to you an inaccuracy of another kind, I then mentioned that of the address, not calling it an *innovation*, but expressing my satisfaction, which is still entire, that it was not from any design in your Executive Council. The Exequatur was therefore sent. That they will not consider our notice of it as an innovation, we are perfectly secure. No government can disregard formalities more than ours. But when formalities are attacked with a view to change principles, and to introduce an entire independence of foreign agents on the nation with whom they reside, it becomes material to defend formalities. They would be no longer trifles, if they could, in defiance of the national will, continue a foreign agent among us, whatever might be his course of action. Continuing, therefore, the refusal to receive any commission from *yourself*, addressed to an improper member of the government, you are left free to use either the general one to the United States, as in the commissions of Messrs. Mangourit and La Forest, before cited, or the special one, to the President of the United States.

I have the honour to be, with respect,
Sir,
Your most obedient and most humble servant,
Th. Jefferson.

TO THE ATTORNEY-GENERAL OF THE UNITED STATES.

Philadelphia, December 18, 1793.

Sir,

The Minister Plenipotentiary of France has inclosed to me a copy of a letter of the 16th instant, which he addressed to you, stating that some libellous publications had been made against him by Mr. Jay, chief justice of the United States, and Mr. King, one of the Senators for the State of New York, and desiring that they might be prosecuted. This letter has been laid before the President, according to the request of the minister; and the President, never doubting your readiness on all occasions to perform the functions of your office, yet thinks it incumbent on him to recommend it specially on the present occasion, as it concerns a public character peculiarly entitled to the protection of the laws. On the other hand, as our citizens ought not to be vexed with groundless prosecutions, duty to them requires it to be added, that if you judge the prosecution in question to be of that nature, you consider this recommendation as not extending to it; its only object being to engage you to proceed in this case according to the duties of your office, the laws of the land, and the privileges of the parties concerned.

I have the honour to be, with great respect and esteem,

Sir,

Your most obedient and most humble servant,

Th. Jefferson.

TO E. RANDOLPH.

Monticello, February 3, 1794.

Dear Sir,

I have to thank you for the transmission of the letters from General Gates, La Motte, and Hauterieve. I perceive by the latter, that the partisans of the one or the other principle (perhaps of both) have thought my name a convenient cover for declarations of their own sentiments. What those are to which Hauterieve alludes, I know not, having never seen a newspaper since I left Philadelphia, (except those of Richmond), and no circumstances authorise him to expect that I should inquire into them, or answer him. I think it is Montaigne who has said, that ignorance is the softest pillow on which a man can rest his head. I am sure it is true as to every thing political, and shall endeavour to estrange myself to every thing of that character. I indulge myself on one political topic only, that is, in declaring to my countrymen the shameless corruption of a portion of the Representatives in the first and second Congresses, and their implicit devotion to the treasury. I think I do good in this, because it may produce exertions to reform the evil, on the success of which the form of the government is to depend.

I am sorry La Motte has put me to the expense of one hundred and forty livres for a French translation of an English poem, as I make it a rule never to read translations where I can read the original. However, the question now is, how to get the book brought here, as well as the communications with Mr. Hammond, which you were so kind as to promise me.

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This is the first letter I have written to Philadelphia since my arrival at home, and yours the only ones I have received.

Accept assurances of my sincere esteem and respect.

Yours affectionately,

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, April 3, 1794.

DEAR SIR,

Our post having ceased to ride ever since the inoculation began in Richmond, till now, I received three days ago, and all together, your friendly favours of March the 2nd, 9th, 12th, 14th, and Colonel Monroe's, of March the 3rd and 16th. I have been particularly gratified by the receipt of the papers containing yours and Smith's discussion of your regulating propositions. These debates had not been seen here but in a very short and mutilated form. I am at no loss to ascribe Smith's speech to its true father. Every tittle of it is Hamilton's, except the introduction. There is scarcely any thing there which I have not heard from him in our various private, though official discussions. The very turn of the arguments is the same, and others will see as well as myself that the style is Hamilton's. The sophistry is too fine, too ingenious, even to have been comprehended by Smith, much less devised by him. His reply shows he did not understand his first speech; as its general inferiority proves its legitimacy, as evidently as it does the bastardy of the original. You know we had understood that Hamilton had prepared a counter report, and that some of his humble servants in the Senate were to move a reference to him, in order to produce it. But I suppose they thought it would have a better effect, if fired off in the House of Representatives. I find the report, however, so fully justified, that the anxieties with which I left it are perfectly quieted. In this quarter, all espouse your propositions with ardour, and without a dissenting voice.

The rumour of a declaration of war has given an opportunity of seeing, that the people here, though attentive to the loss of value of their produce in such an event, yet find in it a gratification of some other passions, and particularly of their antient hatred to Great Britain. Still I hope it will not come to that; but that the proposition wil be carried, and justice be done ourselves in a peaceable way. As to the guarantee of the French islands, whatever doubts may be entertained of the moment at which we ought to interpose, yet I have no doubt but that we ought to interpose at a proper time, and declare, both to England and France, that these islands are to rest with France, and that we will make a common cause with the latter for that object. As to the naval armament, the land armament, and the marine fortifications which are in question with you, I have no doubt they will all be carried. Not that the monocrats and papermen in Congress want war; but they want armies and debts; and though we may hope that the sound part of Congress is now so augmented as to insure a majority in cases of general interest merely, yet I have always observed, that in questions of expense, where members may hope either for offices or jobs for themselves or their friends, some few will be debauched, and that is sufficient to turn the decision, where a majority is, at most, but small. I have never seen a Philaphia paper since I left it, till those you inclosed me; and I feel myself so thoroughly weaned from the interest I took in the proceedings there, while there, that I have never had a wish to see one, and believe that I never shall take another newspaper of any sort. I find my mind totally absorbed in my rural occupations.

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Accept sincere assurances of affection.

TH. JEFFERSON.

TO TENCH COXE.

Monticello, May 1, 1794

DEAR SIR,

Your several favours of February the 22d, 27th, and March the 16th, which had been accumulating in Richmond during the prevalence of the small pox in that place, were lately brought to me, on the permission given the post to resume his communication. I am particularly to thank you for your favour in forwarding the Bee. Your letters give a comfortable view of French affairs, and later events seem to confirm it. Over the foreign powers I am convinced they will triumph completely, and I cannot but hope that that triumph, and the consequent disgrace of the invading tyrants, is destined, in the order of events, to kindle the wrath of the people of Europe against those who have dared to embroil them in such wickedness, and to bring, at length, kings, nobles, and priests, to the scaffolds which they have been so long deluging with human blood. I am still warm whenever I think of these scoundrels, though I do it as seldom as I can, preferring infinitely to contemplate the tranquil growth of my lucerne and potatoes. I have so completely withdrawn myself from these spectacles of usurpation and misrule, that I do not take a single newspaper, nor read one a month: and I feel myself infinitely the happier for it.

We are alarmed here with the apprehensions of war; and sincerely anxious that it may be avoided; but not at the expense either of our faith or honour. It seems much the general opinion here, the latter has been too much wounded not to require reparation, and to seek it even in war, if that be necessary. As to myself, I love peace, and I am anxious that we should give the world still another useful lesson, by shewing to them other modes of punishing injuries than by war, which is as much a punishment to the punisher as to the sufferer. I love, therefore, Mr. Clarke's proposition of cutting off all communication with the nation which has conducted itself so atrociously. This, you will say, may bring on war. If it does, we will meet it like men; but it may not bring on war, and then the experiment will have been a happy one. I believe this war would be vastly more unanimously approved than any one we ever were engaged in; because the aggressions have been so wanton and barefaced, and so unquestionably against our desire. I am sorry Mr. Cooper and Priestley did not take a more general survey of our country before they fixed themselves. I think they might have promoted their own advantage by it, and have aided the introduction of improvement where it is more wanting. The prospect of wheat for the ensuing year is a bad one. This is all the sort of news you can expect from me. From you I shall be glad to hear all sorts of news, and particularly any improvements in the arts, applicable to husbandry or household manufacture.

I am, with very sincere affection,
Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO THE PRESIDENT.

Monticello, May 14, 1794.

Dear Sir,

I am honoured with your favour of April the 24th, and received, at the same time, Mr. Bertrand's agricultural prospectus. Though he mentions my having seen him at a particular place, yet I remember nothing of it; and observing that he intimates an application for lands in America, I conceive his letter meant for me as Secretary of State, and therefore I now send it to the Secretary of State. He has given only the heads of his demonstrations, so that nothing can be conjectured of their details. Lord Kaims once proposed an essence of dung, one pint of which should manure an acre. If he or Mr. Bertrand could have rendered it so portable, I should have been one of those who would have been greatly obliged to them. I find on a more minute examination of my lands than the short visits heretofore made to them permitted, that a ten years' abandonment of them to the ravages of overseers, has brought on them a degree of degradation far beyond what I had expected. As this obliges me to adopt a milder course of cropping, so I find that they have enabled me to do it, by having opened a great deal of lands during my absence. I have, therefore, determined on a division of my farms into six fields, to be put under this rotation: first year, wheat; second, corn, potatoes, peas; third, rye or wheat, according to circumstances; fourth and fifth, clover where the fields will bring it, and buckwheat dressings where they will not; sixth, folding, and buckwheat dressings. But it will take me from three to six years to get this plan under way. I am not yet satisfied that my acquisition of overseers from the head of Elk has been a happy one, or that much will be done this year towards rescuing my plantations from their wretched condition. Time, patience, and perseverance must be the remedy: and the maxim of your letter, 'slow and sure,' is not less a good one in agriculture than in politics. I sincerely wish it may extricate us from the event of a war, if this can be done saving our faith and our rights. My opinion of the British government is, that nothing will force them to do justice but the loud voice of their people, and that this can never be excited but by distressing their commerce. But I cherish tranquillity too much, to suffer political things to enter my mind at all. I do not forget that I owe you a letter for Mr. Young;

but I am waiting to get full information. With every wish for your health and happiness, and my most friendly respects for Mrs. Washington,

I have the honour to be,
Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO THE SECRETARY OF STATE.

Monticello, September 7, 1794.

DEAR SIR,

Your favour of August the 28th finds me in bed, under a paroxysm of the rheumatism, which has now kept me for ten days in constant torment, and presents no hope of abatement. But the express and the nature of the case requiring immediate answer, I write to you in this situation. No circumstances, my dear Sir, will ever more tempt me to engage in any thing public. I thought myself perfectly fixed in this determination when I left Philadelphia, but every day and hour since has added to its inflexibility. It is a great pleasure to me to retain the esteem and approbation of the President, and this forms the only ground of any reluctance at being unable to comply with every wish of his. Pray convey these sentiments and a thousand more to him, which my situation does not permit me to go into. But, however suffering by the addition of every single word to this letter, I must add a solemn declaration that neither Mr. J. nor Mr. —— ever mentioned to me one word of any want of decorum in Mr. Carmichael, nor any thing stronger or more special than stated in my notes of the conversation. Excuse my brevity, my dear Sir, and accept assurances of the sincere esteem and respect,

With which I have the honour to be,
Your affectionate friend and servant,
TH. JEFFERSON.

TO JAMES MADISON.

Monticello, December 28, 1794.

DEAR SIR,

I have kept Mr. Jay's letter a post or two, with an intention of considering attentively the observations it contains: but I have really now so little stomach for any thing of that kind, that I have not resolution enough even to endeavour to understand the observations. I therefore return the letter, not to delay your answer to it, and beg you in answering for yourself, to assure him of my respects and thankful acceptance of Chalmers' Treaties, which I do not possess, and if you possess yourself of the scope of his reasoning, make any answer to it you please for me. If it had been on the rotation of my crops, I would have answered myself, lengthily perhaps, but certainly *con gusto*.

The denunciation of the democratic societies is one of the extraordinary acts of boldness of which we have seen so many from the faction of monocrats. It is wonderful indeed, that the President should have permitted himself to be the organ of such an attack on the freedom of discussion, the freedom of writing, printing, and publishing. It must be a matter of rare curiosity to get at the modifications of these rights proposed by them, and to see what line their ingenuity would draw between democratical societies, whose avowed object is the nourishment of the republican principles of our constitution, and the society of the Cincinnati, *a self created* one, carving out for itself hereditary distinctions, lowering over our constitution eternally, meeting together in all parts of the Union, periodically, with closed doors, accumulating a capital in their separate treasury, corresponding secretly and regularly, and of which society the very persons denouncing the democrats are themselves the fathers, founders, and high officers. Their sight must be perfectly dazzled by the glittering of crowns and coronets, not to see the extravagance of the proposition to suppress the friends of general freedom, while those who wish to confine that freedom to the few, are permitted to go on in their principles and practices. I here put out of sight the persons whose misbehaviour has been taken advantage of to slander the friends of popular rights; and I am happy to observe, that as far as the circle of my observation and information extends, every body has lost sight of them, and views the abstract attempt on their natural and constitutional rights in all its nakedness. I have never heard, or heard of, a single expression or opinion which did not condemn it as an inexcusable aggression. And with respect to the transactions against the excise law, it appears to me that you are all swept away in the torrent of governmental opinions, or that we do not know what these transactions have been. We know of none which, according to the definitions of the law, have been any thing more than riotous. There was indeed a meeting to consult about a separation. But to consult on a question does not amount to a determination of that question in the affirmative, still less to the acting on such a determination: but we shall see, I suppose, what the court lawyers, and courtly judges, and would-be ambassadors will make of it. The excise law is an infernal one. The first error was to admit it by the constitution; the second, to act on that admission; the third and last will be, to make it the instrument of dismembering the Union, and setting us all afloat to choose what part of it we will adhere to. The information of our militia, returned from the westward, is uniform, that though the people there let them pass quietly, they were objects of their laughter, not of their fear; that one thousand men could have cut off their whole force in a thousand places of the Alleganey; that their detestation of the excise law is universal, and has now associated to it a detestation of the government; and that separation which perhaps was a very distant and problematical event, is now near, and certain, and determined in the mind of every man. I expected to have seen some justification of arming one part of the society against another; of declaring a civil war the moment before the meeting of that body which has the sole right of declaring war; of being so patient of the kicks and scoffs of our enemies, and rising at a feather against our friends; of adding a million to the public debt, and deriding us with recommendations to pay it if we can, &c. &c. But the part of the speech which was to be taken as a justification of the armament, reminded me of Parson Saunders' demonstration why *minus* into *minus* makes *plus*. After a parcel of shreds of stuff from Æsop's Fables and Tom Thumb, he jumps all at once into his *ergo*, *minus* multiplied into *minus* makes *plus*. Just so the fifteen thousand men enter after the fables, in the speech.

However, the time is coming when we shall fetch up the leeway of our vessel. The changes in your House, I see, are going on for the better, and even the Augean herd over your heads are slowly purging off their impurities. Hold on, then, my dear friend, that we may not shipwreck in the meanwhile. I do not see, in the minds of those with whom I converse, a greater affliction than the fear of your retirement; but this must not be, unless to a more splendid and a more efficacious post. There I should rejoice to see you; I hope I may say, I shall rejoice to see you. I have long had much in my mind to say to you on that subject. But double delicacies have kept me silent. I ought perhaps to say, while I would not give up my own retirement for the empire of the universe, how I can justify wishing one whose happiness I have so much at heart as yours, to take the front of the battle which is fighting for my security. This would be easy enough to be done, but not at the heel of a lengthy epistle.

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Present me respectfully to Mrs. Madison, and pray her to keep you where you are for her own satisfaction and the public good, and accept the cordial affections of us all. Adieu.

TH. JEFFERSON.

TO M. D'IVERNOIS.

Monticello, February 6, 1795.

DEAR SIR,

Your several favours on the affairs of Geneva found me here, in the month of December last. It is now more than a year that I have withdrawn myself from public affairs, which I never liked in my life, but was drawn into by emergencies which threatened our country with slavery, but ended in establishing it free. I have returned with infinite appetite to the enjoyment of my farm, my family, and my books, and had determined to meddle in nothing beyond their limits. Your proposition, however, for transplanting the college of Geneva to my own country, was too analogous to all my attachments to science, and freedom, the first born daughter of science, not to excite a lively interest in my mind, and the essays which were necessary to try its practicability. This depended altogether on the opinions and dispositions of our State legislature, which was then in session. I immediately communicated your papers to a member of the legislature, whose abilities and zeal pointed him out as proper for it, urging him to sound as many of the leading members of the legislature as he could, and if he found their opinions favourable, to bring forward the proposition; but if he should find it desperate, not to hazard it, because I thought it best not to commit the honour either of our State or of your college, by an useless act of éclât. It was not till within these three days that I have had an interview with him, and an account of his proceedings. He communicated the papers to a great number of the members, and discussed them maturely, but privately, with them. They were generally well disposed to the proposition, and some of them warmly; however, there was no difference of opinion in the conclusion, that it could not be effected. The reasons which they thought would with certainty prevail against it, were, 1. That our youth, not familiarized but with their mother tongue, were not prepared to receive instructions in any other; 2. That the expense of the institution would excite uneasiness in their constituents, and endanger its permanence; and 3, That its extent was disproportioned to the narrow state of the population with us. Whatever might be urged on these several subjects, yet as the decision rested with others, there remained to us only to regret that circumstances were such, or were thought to be such, as to disappoint your and our wishes.

I should have seen with peculiar satisfaction the establishment of such a mass of science in my country, and should probably have been tempted to approach myself to it, by procuring a residence in its neighbourhood at those seasons of the year at least when the operations of agriculture are less active and interesting. I sincerely lament the circumstances which have suggested this emigration. I had hoped that Geneva was familiarized to such a degree of liberty, that they might without difficulty or danger fill up the measure to its *maximum;* a term which, though in the insulated man bounded only by its natural powers, must in society be so far restricted as to protect himself against the evil passions of his associates, and consequently, them against him. I suspect that the doctrine, that small states alone are fitted to be republics, will be exploded by experience, with some other brilliant fallacies accredited by Montesquieu and other political writers. Perhaps it will be found that to obtain a just republic, (and it is to secure our just rights that we resort to government at all) it must be so extensive as that local egoisms may never reach its greater part; that on every particular question a majority may be found in its councils free from particular interests, and giving therefore an uniform prevalence to the principles of justice. The smaller the societies, the more violent and more convulsive their schisms. We have chanced to live in an age which will probably be distinguished in history, for its experiments in government on a larger scale than has yet taken place. But we shall not live to see the result. The grosser absurdities, such as hereditary magistracies, we shall see exploded in our day, long experience having already pronounced condemnation against them. But what is to be the substitute? This our children or grand-children will answer. We may be satisfied with the certain knowledge that none can ever be tried, so stupid, so unrighteous, so oppressive, so destructive of every end for which honest men enter into government, as that which their forefathers had established, and their fathers alone venture to tumble headlong from the stations they have so long abused. It is unfortunate, that the efforts of mankind to recover the freedom of which they have been so long deprived, will be accompanied with violence, with errors, and even with crimes. But while we weep over the means, we must pray for the end.

But I have been insensibly led by the general complexion of the times, from the particular case of Geneva, to those to which it bears no similitude. Of that we hope good things. Its inhabitants must be too much enlightened, too well experienced in the blessings of freedom and undisturbed industry, to tolerate long a contrary state of things. I shall be happy to hear that their government perfects itself, and leaves room for the honest, the industrious, and wise; in which case your own talents and those of the persons for whom you have interested yourself, will, I am sure, find welcome and distinction. My good wishes will always attend you, as a consequence of the esteem and regard with which I am,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, April 27, 1795.

DEAR SIR,

Your letter of March the 23rd came to hand the 7th of April, and notwithstanding the urgent reasons for answering a part of it immediately, yet as it mentioned that you would leave Philadelphia within a few days, I feared that the answer might pass you on the road. A letter from Philadelphia by the last post having announced to me your leaving that place the day preceding its date, I am in hopes this will find you in Orange. In mine, to which yours of March the 23rd was an answer, I expressed my hope of the only change of position I ever wished to see you make, and I expressed it with entire sincerity, because there is not another person in the United States, who being placed at the helm of our affairs, my mind would be so completely at rest for the fortune of our political bark. The wish too was pure, and unmixed with any thing respecting myself personally.

For as to myself, the subject had been thoroughly weighed and decided on, and my retirement from office had been meant from all office high or low, without exception. I can say, too, with truth, that the subject had not been presented to my mind by any vanity of my own. I know myself and my fellow citizens too well to have ever thought of it. But the idea was forced upon me by continual insinuations in the public papers, while I was in office. As all these came from a hostile quarter, I knew that their object was to poison the public mind as to my motives, when they were not able to charge me with facts. But the idea being once presented to me, my own quiet required that I should face it and examine it. I did so thoroughly, and had no difficulty to see that every reason which had determined me to retire from the office I then held, operated more strongly against that which was insinuated to be my object. I decided then on those general grounds which could alone be present to my mind at that time, that is to say, reputation, tranquillity, labour; for as to public duty, it could not be a topic of consideration in my case. If these general considerations were sufficient to ground a firm resolution never to permit myself to think of the office, or be thought of for it, the special ones which have supervened on my retirement, still more insuperably bar the door to it. My health is entirely broken down within the last eight months; my age requires that I should place my affairs in a clear state; these are sound if taken care of, but capable of considerable dangers if longer neglected; and above all things, the delights I feel in the society of my family, and in the agricultural pursuits in which I am so eagerly engaged. The little spice of ambition which I had in my younger days has long since evaporated, and I set still less store by a posthumous than a present name. In stating to you the heads of reasons which have produced my determination, I do not mean an opening for future discussion, or that I may be reasoned out of it. The question is for ever closed with me; my sole object is to avail myself of the first opening ever given me from a friendly quarter, (and I could not with decency do it before) of preventing any division or loss of votes, which might be fatal to the republican interest. If that has any chance of prevailing, it must be by avoiding the loss of a single vote, and by concentrating all its strength on one object. Who this should be, is a question I can more freely discuss with any body than yourself. In this I painfully feel the loss of Monroe. Had he been here, I should have been at no loss for a channel through which to make myself understood; if I have been misunderstood by any body, through the instrumentality of Mr. Fenno and his abettors. I long to see you. I am proceeding in my agricultural plans with a slow but sure step. To get under full way will require four or five years. But patience and perseverance will accomplish it. My little essay in red clover, the last year, has had the most encouraging success. I sowed then about forty acres. I have sowed this year about one hundred and twenty, which the rain now falling comes very opportunely on. From one hundred and sixty to two hundred acres, will be my yearly sowing. The seed-box, described in the agricultural transactions of New York, reduces the expense of seeding from six shillings to two shillings and three pence the acre, and does the business better than is possible to be done by the human hand. May we hope a visit from you? If we may, let it be after the middle of May, by which time I hope to be returned from Bedford. I have had a proposition to meet Mr. Henry there this month, to confer on the subject of a convention, to the calling of which he is now become a convert. The session of our district court furnished me a just excuse for the time; but the impropriety of my entering into consultation on a measure in which I would take no part, is a permanent one.

Present my most respectful compliments to Mrs. Madison, and be assured of the warm attachment of,

Dear Sir,
Yours affectionately,
TH. JEFFERSON.

TO WILLIAM B. GILES.

Monticello, April 27, 1795.

DEAR SIR,

Your favour of the 16th came to hand by the last post. I sincerely congratulate you on the great prosperities of our two first allies, the French and Dutch. If I could but see them now at peace with the rest of their continent, I should have little doubt of dining with Pichegru in London, next autumn, for I believe I should be tempted to leave my clover for a while, to go and hail the dawn of liberty and republicanism in that island. I shall be rendered very happy by the visit you promise me. The only thing wanting to make me completely so, is the more frequent society of my friends. It is the more wanting, as I am become more firmly fixed to the glebe. If you visit me as a farmer, it must be as a condisciple: for I am but a learner; an eager one indeed, but yet desperate, being too old now to learn a new art. However, I am as much delighted and occupied with it, as if I was the greatest adept. I shall talk with you about it from morning till night, and put you on very short allowance as to political aliment. Now and then a pious ejaculation for the French and Dutch republicans,—returning, with due despatch, to clover, potatoes, wheat, &c. That I may not lose the pleasure promised me, let it not be till the middle of May, by which time I shall be returned from a trip I meditate to Bedford.

Yours affectionately,

Th. Jefferson.

THOMAS JEFFERSON TO MANN PAGE.

Monticello, August 30, 1795.

It was not in my power to attend at Fredericksburg according to the kind invitation in your letter, and in that of Mr. Ogilvie. The heat of the weather, the business of the farm, to which I have made myself necessary; forbade it; and to give one round reason for all, *mature sanus*, I have laid up my Rozinante in his stall, before his unfitness for the road shall expose him faultering to the world. But why did not I answer you in time? Because, in truth, I am encouraging myself to grow lazy, and I was sure you would ascribe the delay to any thing sooner than a want of affection or respect to you, for this was not among the possible causes. In truth, if any thing could ever induce me to sleep another night out of my own house, it would have been your friendly invitation and my solicitude for the subject of it, the education of our youth. I do most anxiously wish to see the highest degrees of education given to the higher degrees of genius, and to all degrees of it, so much as may enable them to read and understand what is going on in the world, and to keep their part of it going on right: for nothing can it keep it right but their own vigilant and distrustful superintendence. I do not believe with the Rochefoucaults and Montaignes, that fourteen out of fifteen men are rogues: I believe a great abatement from that proportion may be made in favour of general honesty. But I have always found that rogues would be uppermost, and I do not know that the proportion is too strong for the higher orders, and for those who, rising above the swinish multitude, always contrive to nestle themselves into the places of power and profit. These rogues set out with stealing the peoples' good opinion, and then steal from them the right of withdrawing it, by contriving laws and associations against the power of the people themselves. Our part of the country is in considerable fermentation, on what they suspect to be a recent roguery of this kind. They say that while all hands were below deck, mending sails, splicing ropes, and every one at his own business, and the captain in his cabin attending to his log-book and chart, a rogue of a pilot has run them into an enemy's port. But, metaphor apart, there is much dissatisfaction with Mr. Jay and his treaty. For my part, I consider myself now but as a passenger, leaving the world and its government to those who are likely to live longer in it. That you may be amongst the longest of these, is my sincere prayer. After begging you to be the bearer of my compliments and apologies to Mr. Ogilvie, I bid you an affectionate farewell, always wishing to hear from you.

THOMAS JEFFERSON TO JAMES MADISON.

Monticello, September 21, 1795.

I received about three weeks ago, a box containing six dozen volumes, of two hundred and eighty-three pages, 12mo, with a letter from Lambert, Beckley's clerk, that they came from Mr. Beckley, and were to be divided between yourself, J. Walker, and myself. I have sent two dozen to J. Walker, and shall be glad of a conveyance for yours. In the mean time, I send you by post, the title page, table of contents, and one of the pieces, Curtius, lest it should not have come to you otherwise. It is evidently written by Hamilton, giving a first and general view of the subject, that the public mind might be kept a little in check, till he could resume the subject more at large from the beginning, under his second signature of Camillus. The piece called 'The Features of the Treaty,' I do not send, because you have seen it in the newspapers. It is said to be written by Coxe, but I should rather suspect, by Beckley. The antidote is certainly not strong enough for the poison of Curtius. If I had not been informed the present came from Beckley, I should have suspected it from Jay or Hamilton. I gave a copy or two, by way of experiment, to honest sound hearted men of common understanding, and they were not able to parry the sophistry of Curtius. I have ceased therefore, to give them. Hamilton is really a colossus to the anti-republican party. Without numbers, he is an host within himself. They have got themselves into a defile, where they might be finished; but too much security on the republican part will give time to his talents and indefatigableness to extricate them. We have had only middling performances to oppose to him. In truth, when he comes forward, there is nobody but yourself who can meet him. His adversaries having begun the attack, he has the advantage of answering them, and remains unanswered himself. A solid reply might yet completely demolish what was too feebly attacked, and has gathered strength from the weakness of the attack. The merchants were certainly (except those of them who are English) as open mouthed at first against the treaty, as any. But the general expression of indignation has alarmed them for the strength of the government. They have feared the shock would be too great, and have chosen to tack about and support both treaty and government, rather than risk the government. Thus it is, that Hamilton, Jay, &c. in the boldest act they ever ventured on to undermine the government, have the address to screen themselves, and direct the hue and cry against those who wished to drag them into light. A bolder party-stroke was never struck. For it certainly is an attempt of a party, who find they have lost their majority in one branch of the legislature, to make a law by the aid of the other branch and of the executive, under colour of a treaty, which shall bind up the hands of the adverse branch from ever restraining the commerce of their patron-nation. There appears a pause at present in the public sentiment, which may be followed by a revulsion. This is the effect of the desertion of the merchants, of the President's chiding answer to Boston and Richmond, of the writings of Curtius and Camillus, and of the quietism into which people naturally fall after first sensations are over. For God's sake take up your pen, and give a fundamental reply to Curtius and Camillus. Adieu affectionately.

TO EDWARD RUTLEDGE.

Monticello, November 30, 1795.

My Dear Sir,

I received your favour of October the 12th, by your son, who has been kind enough to visit me here, and from whose visit I have received all that pleasure which I do from whatever comes from you, and especially from a subject so deservedly dear to you. He found me in a retirement I doat on, living like an antediluvian patriarch among my children and grand children, and tilling my soil. As he had lately come from Philadelphia, Boston, &c. he was able to give me a great deal of information of what is passing in the world, and I pestered him with questions pretty much as our friends Lynch, Nelson, &c. will us, when we step across the Styx, for they will wish to know what has been passing above ground since they left us. You hope I have not abandoned entirely the service of our country. After five and twenty years continual employment in it, I trust it will be thought I have fulfilled my tour, like a punctual soldier, and may claim my discharge. But I am glad of the sentiment from you, my friend, because it gives a hope you will practise what you preach, and come forward in aid of the public vessel. I will not admit your old excuse, that you are in public service though at home. The campaigns which are fought in a man's own house are not to be counted. The present situation of the President, unable to get the offices filled, really calls with uncommon obligation on those whom nature has fitted for them. I join with you in thinking the treaty an execrable thing. But both negotiators must have understood, that, as there were articles in it which could not be carried into execution without the aid of the legislatures on both sides, therefore it must be referred to them, and that these legislatures being free agents, would not give it their support if they disapproved of it. I trust the popular branch of our legislature will disapprove of it, and thus rid us of this infamous act, which is really nothing more than a treaty of alliance between England and the Anglomen of this country, against the legislature and people of the United States.

I am, my dear friend,

Yours affectionately,

Th. Jefferson.

TO WILLIAM B. GILES.

Monticello, December 31, 1795.

Dear Sir,

Your favours of December the 15th and 20th came to hand by the last post. I am well pleased with the manner in which your House have testified their sense of the treaty; while their refusal to pass the original clause of the reported answer proved their condemnation of it, the contrivance to let it disappear silently respected appearances in favour of the President, who errs as other men do, but errs with integrity. Randolph seems to have hit upon the true theory of our constitution; that when a treaty is made, involving matters confided by the constitution to the three branches of the legislature conjointly, the Representatives are as free as the President and Senate were, to consider whether the national interest requires or forbids their giving the forms and force of law to the articles over which they have a power. I thank you much for the pamphlet. His narrative is so straight and plain, that even those who did not know him will acquit him of the charge of bribery. Those who knew him had done it from the first. Though he mistakes his own political character in the aggregate, yet he gives it to you in the detail. Thus, he supposes himself a man of no party (page 57); that his opinions not containing any systematic adherence to party, fell sometimes on one side and sometimes on the other (page 58). Yet he gives you these facts, which shew that they fall generally on both sides, and are complete inconsistencies.

1. He never gave an opinion in the cabinet against the rights of the people (page 97): yet he advised the denunciation of the popular societies (page 67.)

2. He would not neglect the overtures of a commercial treaty with France (page 79); yet he always opposed it while Attorney-General, and never seems to have proposed it while Secretary of State.

3. He concurs in resorting to the militia to quell the pretended insurrections in the west (page 81), and proposes an augmentation from twelve thousand five hundred to fifteen thousand, to march against men at their ploughs (page 80); yet on the 5th of August he is against their marching (pages 83, 101), and on the 25th of August he is for it (page 84).

4. He concurs in the measure of a mission extraordinary to London (as is inferred from page 58), but objects to the men, to wit, Hamilton and Jay (page 50).

5. He was against granting commercial powers to Mr. Jay (page 58); yet he besieged the doors of the Senate to procure their advice to ratify.

6. He advises the President to a ratification on the merits of the treaty (page 97), but to a suspension till the provision order is repealed (page 98). The fact is, that he has generally given his principles to the one party, and his practice to the other—the oyster to one, the shell to the other. Unfortunately, the shell was generally the lot of his friends, the French and republicans, and the oyster of their antagonists. Had he been firm to the principles he professes in the year 1793, the President would have been kept from an habitual concert with the British and anti-republican party. But at that time, I do not know which R. feared most, a British fleet, or French disorganizers. Whether his conduct is to be ascribed to a superior view of things, an adherence to right without regard to party, as he pretends, or to an anxiety to trim between both, those who know his character and capacity will decide. Were parties here divided merely by a greediness for office, as in England, to take a part with either would be unworthy of a reasonable or moral man. But where the principle of difference is as substantial, and as strongly pronounced, as between the republicans and the monocrats of our country, I hold it as honourable to take a firm and decided part, and as immoral to pursue a middle line, as between the parties of honest men and rogues, into which every country is divided.

A copy of the pamphlet came by this post to Charlottesville. I suppose we shall be able to judge soon what kind of impression it is likely to make. It has been a great treat to me, as it is a continuation of that cabinet history, with the former part of which I was intimate. I remark, in the reply of the President, a small travestie of the sentiment contained in the answer of the Representatives. They acknowledge that he has *contributed* a great share to the national happiness by his services. He thanks them for ascribing to his *agency* a great share of those benefits. The former keeps in view the co-operation of others towards the public good. The latter presents to view his sole agency. At a time when there would have been less anxiety to publish to the people a strong approbation from your house, this strengthening of your expression would not have been noticed.

Our attentions have been so absorbed by the first manifestation of the sentiments of your House, that we have lost sight of our own legislature; insomuch, that I do not know whether they are sitting or not. The rejection of Mr. Rutledge by the Senate is a bold thing; because they cannot pretend any objection to him but his disapprobation of the treaty. It is, of course, a declaration that they will receive none but tories hereafter into any department of the government. I should not wonder if Monroe were to be recalled, under the idea of his being of the partisans of France, whom the President considers as the partisans of *war and confusion*, in his letter of July the 31st, and as disposed to excite them to hostile measures, or at least to unfriendly sentiments; a most infatuated blindness to the true character of the sentiments entertained in favour of France. The bottom of my page warns me that it is time to end my commentaries on the facts you have furnished me. You would of course, however, wish to know the sensations here on those facts.

My friendly respects to Mr. Madison, to whom the next week's dose will be directed. Adieu affectionately.

Th. Jefferson.

TO JAMES MADISON.

Monticello, March 6, 1796.

Dear Sir,

I wrote you February the 21st, since which I have received your's of the same day. Indeed, mine of that date related only to a single article in your's of January the 31st and February the 7th. I do not at all wonder at the condition in which the finances of the United States are found. Hamilton's object from the beginning, was to throw them into forms which should be utterly undecipherable. I ever said he did not understand their condition himself, nor was able to give a clear view of the excess of our debts beyond our credits, nor whether we were diminishing or increasing the debt. My own opinion was, that from the commencement of this government to the time I ceased to attend to the subject, we had been increasing our debt about a million of dollars annually. If Mr. Gallatin would undertake to reduce this chaos to order, present us with a clear view of our finances, and put them into a form as simple as they will admit, he will merit immortal honour. The accounts of the United States ought to be, and may be, made as simple as those of a common farmer, and capable of being understood by common farmers.

Disapproving, as I do, of the unjustifiable largess to the demands of the Count de Grasse, I will certainly not propose to rivet it by a second example on behalf of M. de Chastellux's son. It will only be done in the event of such a repetition of the precedent, as will give every one a right to share in the plunder. It is, indeed, surprising you have not yet received the British treaty in form. I presume you would never receive it were not your co-operation on it necessary. But this will oblige the formal notification of it to you.

My salutations to Mrs. Madison, friendly esteem to Mr. Giles, Page, &c.

I am, with sincere affection, yours,

Th. Jefferson.

P. S. Have you considered all the consequences of your proposition respecting post roads? I view it as a source of boundless patronage to the executive, jobbing to members of Congress and their friends, and a bottomless abyss of public money. You will begin by only appropriating the surplus of the post-office revenues: but the other revenues will soon be called in to their aid, and it will be a source of eternal scramble among the members, who can get the most money wasted in their State; and they will always get most who are meanest. We have thought, hitherto, that the roads of a State could not be so well administered even by the State legislature as by the magistracy of the county, on the spot. How will they be when a member of New Hampshire is to mark out a road for Georgia? Does the power to *establish* post roads, given you by the constitution, mean that you shall *make* the roads, or only *select* from those already made those on which there shall be a post? If the term be equivocal (and I really do not think it so), which is the safest construction?—that which permits a majority of Congress to go to cutting down mountains and bridging of rivers, or the other, which if too restricted may be referred to the States for amendment, securing still due measures and proportion among us, and providing some means of information to the members of Congress tantamount to that ocular inspection, which, even in our county determinations, the magistrate finds cannot be supplied by any other evidence? The fortification of harbours was liable to great objection. But national circumstances furnished some colour. In this case there is none. The roads of America are the best in the world except those of France and England. But does the state of our population, the extent of our internal commerce, the want of sea and river navigation, call for such expense on roads here, or are our means adequate to it? Think of all this, and a great deal more which your good judgment will suggest, and pardon my freedom.

T. J.

THOMAS JEFFERSON TO WILLIAM B. GILES.

I know not when I have received greater satisfaction than on reading the speech of Dr. Lieb, in the Pennsylvania Assembly. He calls himself a new member. I congratulate honest republicanism on such an acquisition, and promise myself much from a career which begins on such elevated ground. We are in suspense here to see the fate and effect of Mr. Pitt's bill against democratic societies. I wish extremely to get at the true history of this effort to suppress freedom of meeting, speaking, writing, and printing. Your acquaintance with Sedgewick will enable you to do it. Pray get the outlines of the bill he intended to have brought in for this purpose. This will enable us to judge whether we have the merit of the invention; whether we were really beforehand with the British minister on this subject; whether he took his hint from our proposition, or whether the concurrence in sentiment is merely the result of the general truth that great men will think alike and act alike, though without intercommunication. I am serious in desiring extremely the outlines of the bill intended for us. From the debates on the subject of our seamen, I am afraid as much harm as good will be done by our endeavours to arm our seamen against impressments. It is proposed to register them and give them certificates. But these certificates will be lost in a thousand ways; a sailor will neglect to take his certificate: he is wet twenty times in a voyage: if he goes ashore without it, he is impressed; if with it, he gets drunk, it is lost, stolen from him, taken from him, and then the want of it gives authority to impress, which does not exist now. After ten years' attention to the subject, I have never been able to devise any thing effectual, but that the circumstance of an American bottom be made *ipso facto* a protection for a number of seamen proportioned to her tonnage; that American captains be obliged, when called on by foreign officers, to parade the men on deck, which would shew whether they exceeded their own quota, and allow the foreign officer to send two or three persons aboard and hunt for any suspected to be concealed. This, Mr. Pinckney was instructed to insist upon with Great Britain; to accept of nothing short of it; and, most especially, not to agree that a certificate of citizenship should be requirable from our seamen; because it would be made a ground for the authorised impressment of them. I am still satisfied that such a protection will place them in a worse situation than they are at present. It is true, the British minister has not shown any disposition to accede to my proposition; but it was not totally rejected; and if he still refuses, lay a duty of one penny sterling a yard on British oznaburgs, to make a fund for paying the expenses of the agents you are obliged to employ to seek out our suffering seamen. I congratulate you on the arrival of Mr. Ames and the British treaty. The newspapers had said they would arrive together. We have had a fine winter. Wheat looks well. Corn is scarce and dear. Twenty-two shillings here, thirty shillings in Amherst. Our blossoms are but just opening. I have begun the demolition of my house, and hope to get through its re-edification in the course of the summer. We shall have the eye of a brick-kiln to poke you into, or an octagon to air you in. Adieu affectionately.

March 19, 1796.

TO COLONEL MONROE.

Monticello, March 21, 1796.

DEAR SIR,

I wrote you on the 2nd instant, and now take the liberty of troubling you, in order to have the inclosed letter to M. Gautier safely handed to him. I will thank you for information that it gets safely to hand, as it is of considerable importance to him, to the United States, to the State of Virginia, and to myself, by conveying to him the final arrangement of the accounts of Grand and Company with all those parties.

* * * * * * * * *

The British treaty has been formally, at length, laid before Congress. All America is a tip-toe to see what the House of Representatives will decide on it. We conceive the constitutional doctrine to be, that though the President and Senate have the general power of making treaties, yet wherever they include in a treaty matters confided by the constitution to the three branches of legislature, an act of legislation will be requisite to confirm these articles, and that the House of Representatives, as one branch of the legislature, are perfectly free to pass the act, or to refuse it, governing themselves by their own judgment whether it is for the good of their constituents to let the treaty go into effect or not. On the precedent now to be set will depend the future construction of our constitution, and whether the powers of legislation shall be transferred from the President, Senate, and House of Representatives, to the President and Senate, and Piamingo, or any other Indian, Algerine, or other chief. It is fortunate that the first decision is to be in a case so palpably atrocious, as to have been predetermined by all America. The appointment of Elsworth Chief Justice, and Chase one of the judges, is doubtless communicated to you. My friendly respects to Mrs. Monroe. Adieu affectionately.

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, March 27, 1796.

DEAR SIR,

I am much pleased with Mr. Gallatin's speech in Bache's paper of March the 14th. It is worthy of being printed at the end of the Federalist, as the only rational commentary on the part of the constitution to which it relates. Not that there may not be objections, and difficult ones, to it, and which I shall be glad to see his answers to: but if they are never answered, they are more easily to be gulped down than those which lie to the doctrines of his opponents, which do in fact annihilate the whole of the powers given by the constitution to the legislature. According to the rule established by usage and common sense, of construing one part of the instrument by another, the objects on which the President and Senate may exclusively act by treaty are much reduced, but the field on which they may act with the sanction of the legislature, is large enough: and I see no harm in rendering their sanction necessary, and not much harm in annihilating the whole treaty-making power, except as to making peace. If you decide in favour of your right to refuse co-operation in any case of treaty, I should wonder on what occasion it is to be used, if not in one where the rights, the interest, the honour, and faith of our nation are so grossly sacrificed; where a faction has entered into a conspiracy with the enemies of their country to chain down the legislature at the feet of both; where the whole mass of your constituents have condemned this work in the most unequivocal manner, and are looking to you as their last hope to save them from the effects of the avarice and corruption of the first agent, the revolutionary machinations of others, and the incomprehensible acquiescence of the only honest man who has assented to it. I wish that his honesty and his political errors may not furnish a second occasion to exclaim, 'curse on his virtues, they have undone his country.' Cold weather; mercury at twenty degrees in the morning. Corn fallen at Richmond to twenty shillings; stationary here. Nicholas sure of his election; R. Jouett and Jo. Monroe in competition for the other vote of the county.

Affection to Mrs. M. and yourself. Adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, April 19, 1796.

DEAR SIR,

Yours of the 4th instant came to hand the day before yesterday. I have turned to the conventional history, and inclose you an exact copy of what is there on the subject you mentioned. I have also turned to my own papers, and send you some things extracted from them, which shew that the recollection of the President has not been accurate, when he supposed his own opinion to have been uniformly that declared in his answer of March the 30th. The records of the Senate will vouch for this. My respects to Mrs. Madison. Adieu affectionately.

TH. JEFFERSON.

[The papers referred to in the preceding.]

Extract, verbatim, from last page but one and the last page.

"Mr. King suggested that the journals of the Convention should be either destroyed, or deposited in the custody of the President. He thought, if suffered to be made public, a bad use would be made of them by those who would wish to prevent the adoption of the constitution.

" Mr. Wilson preferred the second expedient. He had at one time liked the first best: but as false suggestions may be propagated, it should not be made impossible to contradict them.

" A question was then put on depositing the journals and other papers of the Convention in the hands of the President: on which New Hampshire, aye, Massachussetts, aye; Connecticut, aye; New Jersey, aye; Pennsylvania, aye; Delaware, aye; Maryland, no; Virginia, aye; North Carolina, aye; South Carolina, aye; and Georgia, aye. This negative of Maryland was occasioned by the language of the instructions to the Deputies of that State, which required them to report to the State the *proceedings* of the Convention.

" The President having asked, what the Convention meant should be done with the journals, &c. whether copies were to be allowed to the members, if applied for, it was resolved *nem. con.* ' that he retain the journal and other papers, subject to the order of the Congress, if ever formed under the constitution.'

" The members then proceeded to sign the instrument," &c.

" In Senate, February 1, 1791.

" The committee, to whom was referred that part of the speech of the President of the United States, at the opening of the session, which relates to the commerce of the Mediterranean, and also the letter from the Secretary of State, dated the 20th of January, 1791, with the papers accompanying the same, reported; whereupon,

" *Resolved*, That the Senate do advise and consent, that the President of the United States take such measures as he may think necessary for the redemption of the citizens of the United States, now in captivity at Algiers, provided the expense shall not exceed forty thousand dollars, and also, that measures be taken to confirm the treaty now existing between the United States and the Emperor of Morocco."

The above is a copy of a resolve of the Senate, referred to me by the President, to propose an answer to, and I find immediately following this, among my papers, a press copy from an original, written fairly in my own hand, ready for the President's signature, and to be given in to the Senate, of the following answer:

" *Gentlemen of the Senate*,

" I will proceed to take measures for the ransom of our citizens in captivity at Algiers, in conformity with your resolution of advice of the 1st instant, so soon as the monies necessary shall be appropriated *by the legislature*, and shall be in readiness.

"The recognition of our treaty with the new Emperor of Morocco requires also previous appropriation and provision. The importance of this last to the liberty and property of our citizens, induces me to urge it on your earliest attention."

Though I have no memorandum of the delivery of this to the Senate, yet I have not the least doubt it was given in to them, and will be found among their records.

I find, among my press copies, the following in my hand writing:

"The committee to report, that the President does not think that circumstances will justify, in the present instance, his entering into *absolute* engagements for the ransom of our captives in Algiers, nor calling for money from the treasury, nor raising it by loan, without previous authority from *both branches* of the legislature."

"April 9, 1792."

I do not recollect the occasion of the above paper with certainty; but I think there was a committee appointed by the Senate to confer with the President on the subject of the ransom, and to advise what is there declined, and that a member of the committee advising privately with me as to the report they were to make to the House, I minuted down the above, as the substance of what he observed to be the proper report, after what had passed with the President, and gave the original to the member, preserving the press copy. I think the member was either Mr. Izard or Mr. Butler, and have no doubt such a report will be found on the files of the Senate.

On the 8th of May following, in consequence of questions proposed by the President to the Senate, they came to a resolution, on which a mission was founded.

TO P. MAZZEI.*

Monticello, April 24, 1796.

My Dear Friend,

* * * * * *

The aspect of our politics has wonderfully changed since you left us. In place of that noble love of liberty and republican government which carried us triumphantly through the

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* The first part of this letter is on private business, and is therefore omitted.

war, an Anglican monarchical and aristocratical party
sprung up, whose avowed object is to draw over us the
stance, as they have already done the forms, of the Br
government. The main body of our citizens, however, re
true to their republican principles: the whole landed inter
republican, and so is a great mass of talent. Against us
the executive, the judiciary, two out of three branches of
legislature, all the officers of the government, all who wa
be officers, all timid men who prefer the calm of despotis
the boisterous sea of liberty, British merchants, and Ameri
trading on British capitals, speculators and holders in the b
and public funds, a contrivance invented for the purpos
corruption, and for assimilating us in all things to the r
as well as the sound parts of the British model. It w
give you a fever were I to name to you the apostates who
gone over to these heresies, men who were Samsons i
field and Solomons in the council, but who have had
heads shorn by the harlot England. In short, we are li
to preserve the liberty we have obtained only by unremi
labours and perils. But we shall preserve it; and our
of weight and wealth on the good side is so great, as to
no danger that force will ever be attempted against us.
have only to awake and snap the Lilliputian cords with w
they have been entangling us during the first sleep w
succeeded our labours.

I will forward the testimonial of the death of Mrs. Ma
which I can do the more incontrovertibly, as she is buri
my grave yard, and I pass her grave daily. The forma
of the proof you require, will occasion delay. I begin to
the effects of age. My health has suddenly broken d
with symptoms which give me to believe I shall not
much to encounter of the *tedium vitæ.* While it rem
however, my heart will be warm in its friendships, and an
these, will always foster the affections with which I am,

Dear Sir,

Your friend and servant,

TH. JEFFERSO

TO COLONEL MONROE.

Monticello, June 12, 1796.

DEAR SIR,

* * * * * *

Congress have risen. You will have seen by their proceedings the truth of what I always observed to you, that one man outweighs them all in influence over the people, who have supported his judgment against their own and that of their representatives. Republicanism must lie on its oars, resign the vessel to its pilot, and themselves to the course he thinks best for them. I had always conjectured, from such facts as I could get hold of, that our public debt was increasing about a million of dollars a year. You will see by Gallatin's speeches that the thing is proved. You will see farther, that we are completely saddled and bridled, and that the bank is so firmly mounted on us that we must go where they will guide. They openly publish a resolution, that the national property being increased in value, they must by an increase of circulating medium furnish an adequate representation of it, and by further additions of active capital promote the enterprises of our merchants. It is supposed that the paper in circulation in and around Philadelphia, amounts to twenty millions of dollars, and that in the whole Union, to one hundred millions. I think the last too high. All the imported commodities are raised about fifty per cent, by the depreciation of the money. Tobacco shares the rise, because it has no competition abroad. Wheat has been extraordinarily high, from other causes. When these cease, it must fall to its ancient nominal price, notwithstanding the depreciation of that, because it must contend in market with foreign wheats. Lands have risen within the vortex of the paper, and as far out as that can influence. They have not risen at all here; on the contrary, they are lower than they were twenty years ago. Those I had mentioned to you, to wit, Carter's and Colle, were sold before your letter came; Colle at two dollars the acre. Carter's had been offered me for two French crowns (13s. 2d.) Mechanics here get from a dollar to a dollar and a half a day, yet are much worse off than at the old prices.

Volney is with me at present. He is on his way to the Illinois. Some late appointments, judiciary and diplomatic, you will have heard, and stared at. The death of R. Jouett is the only small news in our neighbourhood.

Our best affections attend Mrs. Monroe, Eliza, and yourself. Adieu affectionately.

TH. JEFFERSON.

TO THE PRESIDENT.

Monticello, June 19, 1796.

In Bache's Aurora of the 9th instant, which came here b the last post, a paper appears, which, having been confided, a I presume, to but few hands, makes it truly wonderful how i should have got there. I cannot be satisfied as to my ow part, till I relieve my mind by declaring, and I attest ever thing sacred and honourable to the declaration, that it has g there neither through me nor the paper confided to me. Thi has never been from under my own lock and key, or out o my own hands. No mortal ever knew from me that thes questions had been proposed. Perhaps I ought to except on person, who possesses all my confidence, as he has possesse yours. I do not remember, indeed, that I communicated i even to him. But as I was in the habit of unlimited trus and counsel with him, it is possible I may have read it t him; no more: for the quire of which it makes a part wa never in any hand but my own, nor was a word ever copied o taken down from it by any body. I take on myself, withou fear, any divulgation on his part: we both know him incapabl of it. From myself, then, or my paper, this publicatio has never been derived. I have formerly mentioned to you that, from a very early period of my life, I had laid it down a a rule of conduct, never to write a word for the public paper From this I have never departed in a single instance; and o a late occasion, when all the world seemed to be writing, besides a rigid adherence to my own rule, I can say with trut that not a line for the press was ever communicated to me, b any other, except a single petition referred for my correction which I did not correct, however, though the contrary, as I have heard, was said, in a public place, by one person, throug error, through malice by another. I learn that this last ha thought it worth his while to try to sow tares between you an me, by representing me as still engaged in the bustle of politics, and in turbulence and intrigue against the government I never believed for a moment that this could make any impression on you, or that your knowledge of me would no overweigh the slander of an intriguer, dirtily employed i sifting the conversations of my table, where alone he could hear of me; and seeking to atone for his sins against you by sins against another, who had never done him any other injury than that of declining his confidences. Political conversations

I really dislike, and therefore avoid, where I can without affectation. But when urged by others, I have never conceived that having been in public life requires me to belie my sentiments, or even to conceal them. When I am led by conversation to express them, I do it with the same independence here which I have practised every where, and which is inseparable from my nature. But enough of this miserable tergiversator, who ought indeed either to have been of more truth, or less trusted by his country.*

While on the subject of papers, permit me to ask one from you. You remember the difference of opinion between Hamilton and Knox on the one part, and myself on the other, on the subject of firing on the Little Sarah, and that we had exchanged opinions and reasons in writing. On your arrival in Philadelphia, I delivered you a copy of my reasons, in the presence of Colonel Hamilton. On our withdrawing, he told me he had been so much engaged that he had not been able to prepare a copy of his and General Knox's for you, and that if I would send you the one he had given me, he would replace it in a few days. I immediately sent it to you, wishing you should see both sides of the subject together. I often after applied to both the gentlemen, but could never obtain another copy. I have often thought of asking this one, or a copy of it, back from you, but have not before written on subjects of this kind to you. Though I do not know that it will ever be of the least importance to me, yet one loves to possess arms, though they hope never to have occasion for them. They possess my paper in my own hand-writing. It is just I should possess theirs. The only thing amiss, is, that they should have left me to seek a return of the paper, or a copy of it, from you.

I put away this disgusting dish of old fragments, and talk to you of my peas and clover. As to the latter article, I have great encouragement from the friendly nature of our soil. I think I have had, both the last and present year, as good clover from common grounds, which had brought several crops of wheat and corn without ever having been manured, as I ever saw on the lots around Philadelphia. I verily believe that a field of thirty-four acres, sowed on wheat, April was twelvemonth, has given me a ton to the acre at its first cutting this spring. The stalks, extended, measured three and a half feet long very commonly. Another field, a year older, and which yielded as well the last year, has sensibly fallen o this year. My exhausted fields bring a clover not hig enough for hay, but I hope to make seed from it. Such a these, however, I shall hereafter put into peas in the broad cast, proposing that one of my sowings of wheat shall b after two years of clover, and the other after two years o peas. I am trying the white boiling pea of Europe (the Al bany pea) this year, till I can get the hog pea of England which is the most productive of all. But the true winte vetch is what we want extremely. I have tried this year th Caroline drill; it is absolutely perfect: nothing can be mor simple, nor perform its office more perfectly for a single ro I shall try to make one to sow four rows at a time of wheat o peas, at twelve inches distance. I have one of the Scotc threshing machines nearly finished. It is copied exactly fro a model Mr. Pinckney sent me, only that I have put th whole works, except the horse wheel, into a single fram moveable from one field to another on the two axles of a wag gon. It will be ready in time for the harvest which is coming o which will give it a full trial. Our wheat and rye are generall fine, and the prices talked of bid fair to indemnify us for th poor crops of the two last years.

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* Here, in the margin of the copy, is written, apparently at a later date, General H. Lee.'

I take the liberty of putting under your cover a letter t the son of the Marquis de la Fayette, not exactly knowin where to direct to him.

With very affectionate compliments to Mrs. Washington, have the honour to be, with great and sincere esteem and re spect,

Dear Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO M. DE LA FAYETTE.

Monticello, June 19, 1796.

DEAR SIR,

The inquiries of Congress were the first intimation whi reached my retirement of your being in this country, an from M. Volney, now with me, I first learned where you ar I avail myself of the earliest moments of this information, t express to you the satisfaction with which I learn that yo are in a land of safety, where you will meet in every perso the friend of your worthy father and family. Among the

I beg to mingle my own assurances of sincere attachment to him, and my desire to prove it by every service I can render you. I know, indeed, that you are already under too good a patronage to need any other, and that my distance and retirement render my affections unavailing to you. They exist, nevertheless, in all their purity and warmth, towards your father and every one embraced by his love; and no one has wished with more anxiety to see him once more in the bosom of a nation, who, knowing his works and his worth, desire to make him and his family for ever their own. You were, perhaps, too young to remember me personally when in Paris; but I pray you to remember, that should any occasion offer wherein I can be useful to you, there is no one on whose friendship and zeal you may more confidently count. You will some day, perhaps, take a tour through these States: should any thing in this part of them attract your curiosity, it would be a circumstance of great gratification to me to receive you here, and to assure you in person of those sentiments of esteem and attachment with which I am,

Dear Sir,
Your friend and humble servant,
TH. JEFFERSON.

TO JONATHAN WILLIAMS.

Monticello, July 3, 1796.

DEAR SIR,

I take shame to myself for having so long left unanswered your valuable favour on the subject of the mountains. But in truth, I am become lazy as to every thing except agriculture. The preparations for harvest, and the length of the harvest itself, which is not yet finished, would have excused the delay, however, at all times, and under all dispositions. I examined, with great satisfaction, your barometrical estimate of the heights of our mountains; and with the more, as they corroborated conjectures on this subject which I had made before. My estimates had made them a little higher than yours (I speak of the Blue Ridge.) Measuring with a very nice instrument the angle subtended vertically by the highest mountain of the Blue Ridge, opposite to my own house, a distance of about eighteen miles south-westward, I made the highest about two thousand feet, as well as I remember, for I can no longer find the notes I made. You make the south side of the mountain near Rockfish Gap, one thousand seven hundred and twenty-two feet above Woods'. You make the other side of the mountain seven hundred and sixty-seven feet. Mr. Thomas Lewis, deceased, an accurate man, with a good quadrant, made the north side of the highest mountain opposite my house something more (I think) than one thousand feet; but the mountain estimated by him and myself is probably higher than that next Rockfish Gap. I do not remember from what principles I estimated the Peaks of Otter at four thousand feet; but some late observations of Judge Tucker's coincided very nearly with my estimate. Your measures confirm another opinion of mine, that the Blue Ridge, on its south side, is the highest ridge in our country, compared with its base. I think your observations on these mountains well worthy of being published, and hope you will not scruple to let them be communicated to the world.

You wish me to present to the Philosophical Society the result of my philosophical researches since my retirement. But, my good Sir, I have made researches into nothing but what is connected with agriculture. In this way, I have a little matter to communicate, and will do it ere long. It is the form of a mould-board *of least resistance*. I had some years ago conceived the principles of it, and I explained them to Mr. Rittenhouse. I have since reduced the thing to practice, and have reason to believe the theory fully confirmed. I only wish for one of those instruments used in England for measuring the force exerted in the draughts of different ploughs, &c., that I might compare the resistance of my mould-board with that of others. But these instruments are not to be had here. In a letter of this date to Mr. Rittenhouse, I mention a discovery in animal history, very signal indeed, of which I shall lay before the Society the best account I can, as soon as I shall have received some other materials collecting for me.

I have seen, with extreme indignation, the blasphemies lately vended against the memory of the father of American philosophy. But his memory will be preserved and venerated as long as the thunder of heaven shall be heard or feared.

With good wishes to all of his family, and sentiments of great respect and esteem for yourself, I am,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO COLONEL MONROE.

Monticello, July 10, 1796.

DEAR SIR,

* * * * * * *

The campaign of Congress has closed. Though the Anglomen have in the end got their treaty through, and so far have triumphed over the cause of republicanism, yet it has been to them a dear-bought victory. It has given the most radical shock to their party which it has ever received: and there is no doubt, they would be glad to be replaced on the ground they possessed the instant before Jay's nomination extraordinary. They see that nothing can support them but the colossus of the President's merits with the people, and the moment he retires, that his successor, if a monocrat, will be overborne by the republican sense of his constituents; if a republican, he will of course give fair play to that sense, and lead things into the channel of harmony between the governors and governed. In the mean time, patience.

Among your neighbours there is nothing new. Mr. Rittenhouse is lately dead. We have had the finest harvest ever known in this part of the country. Both the quantity and quality of wheat are extraordinary. We got fifteen shillings a bushel for the last crop, and hope two-thirds of that at least for the present one.

Most assiduous court is paid to Patrick Henry. He has been offered every thing which they knew he would not accept. Some impression is thought to be made, but we do not believe it is radical. If they thought they could count upon him, they would run him for their Vice President; their first object being to produce a schism in the State. As it is, they will run Mr. Pinckney; in which they regard his southern position, rather than his principles. Mr. Jay, and his advocate Camillus, are completely treaty-foundered.

We all join in love to Mrs. Monroe; and accept for yourself assurances of sincere and affectionate friendship. Adieu.

TH. JEFFERSON.

THOMAS JEFFERSON TO JAMES MADISON.

Monticello, December 17, 1796.

Your favour of the 5th came to hand last night. The first wish of my heart was, that you should have been proposed for the administration of the government. On your declining it, I wish any body rather than myself: and there is nothing I so anxiously hope, as that my name may come out either second or third. These would be indifferent to me; as the last would leave me at home the whole year, and the other, two thirds of it. I have no expectation that the eastern States will suffer themselves to be so much outwitted as to be made the tools for bringing in P. instead of A. I presume they will throw away their second vote. In this case, it begins to appear possible that there may be an equal division where I had supposed the republican vote would have been considerably minor. It seems also possible that the Representatives may be divided. This is a difficulty from which the constitution has provided no issue. It is both my duty and inclination, therefore, to relieve the embarrassment, should it happen: and in that case, I pray you, and authorise you fully, to solicit, on my behalf, that Mr. Adams may be preferred. He has always been my senior from the commencement of our public life, and the expression of the public will being equal, this circumstance ought to give him the preference; and when so many motives will be operating to induce some of the members to change their vote, the addition of my wish may have some effect to preponderate the scale. I am really anxious to see the speech. It must exhibit a very different picture of our foreign affairs from that presented in the adieu, or it will little correspond with my views of them. I think they never wore so gloomy an aspect since the year 1783. Let those come to the helm who think they can steer clear of the difficulties. I have no confidence in myself for the undertaking.

We have had the severest weather ever known in November. The thermometer was at twelve degrees here and in Goochland, and I suppose generally. It arrested my buildings very suddenly, when eight days more would have completed my walls, and permitted us to cover in. The drought is excessive. From the middle of October to the middle of December, not rain enough to lay the dust. A few days ago there fell a small rain; but the succeeding cold has probably prevented it from sprouting the grain sown during the drought.

Present me in friendly terms to Messrs. Giles, Venable, and Page. Adieu affectionately.

TO EDWARD RUTLEDGE.

Monticello, December 27, 1796.

My Dear Sir,

* * * * * *

You have seen my name lately tacked to so much of eulogy and of abuse, that I dare say you hardly thought it meant your old acquaintance of '76. In truth, I did not know myself under the pens either of my friends or foes. It is unfortunate for our peace, that unmerited abuse wounds, while unmerited praise has not the power to heal. These are hard wages for the services of all the active and healthy years of one's life. I had retired after five-and-twenty years of constant occupation in public affairs and total abandonment of my own. I retired much poorer than when I entered the public service, and desired nothing but rest and oblivion. My name, however, was again brought forward, without concert or expectation on my part (on my salvation I declare it). I do not as yet know the result as a matter of fact, for, in my retired canton we have nothing later from Philadelphia than of the second week of this month; yet I have never one moment doubted the result. I knew it was impossible Mr. Adams should lose a vote north of the Delaware, and that the free and moral agency of the south would furnish him an abundant supplement. On principles of public respect I should not have refused; but I protest, before my God, that I shall, from the bottom of my heart, rejoice at escaping. I know well that no man will ever bring out of that office the reputation which carries him into it. The honey-moon would be as short in that case as in any other, and its moments of ecstacy would be ransomed by years of torment and hatred. I shall highly value, indeed, the share which I may have had in the late vote, as an evidence of the share I hold in the esteem of my countrymen; but, in this point of view, a few votes, more or less, will be little sensible, and in every other, the minor will be preferred by me to the major vote. I have no ambition to govern men; no passion which would lead me to delight to ride in a storm. *Flumina amo, sylvasque, inglorius.* My attachment to my home has enabled me to make the calculation with rigour, perhaps with partiality, to the issue which keeps me there. The newspapers will permit me to plant my corn, peas, &c. in hills or drills, as I please (and my oranges, by the by, when you send them), while our eastern friend will be struggling with the storm which is gathering over us, perhaps be shipwrecked in it. This is certainly not a moment to covet the helm.

I have often doubted whether most to praise or to blame your line of conduct. If you had lent to your country the excellent talents you possess, on you would have fallen those torrents of abuse which have lately been poured forth on me. So far I praise the wisdom which has descried and steered clear of a water-spout a-head. But now for the blame. There is a debt of service due from every man to his country, proportioned to the bounties which nature and fortune have measured to him. Counters will pay this from the poor of spirit; but from you, my friend, coin was due. There is no bankrupt law in heaven, by which you may get off with shillings in the pound,—with rendering to a single state what you owed to the whole confederacy. I think it was by the Roman law that a father was denied sepulture, unless his son would pay his debts. Happy for you and us, that you have a son whom genius and education have qualified to pay yours; but as you have been a good father in every thing else, be so in this also. Come forward and pay your own debts. Your friends, the Mr. Pinckneys, have at length undertaken their tour. My joy at this would be complete if you were in gear with them. I love to see honest and honourable men at the helm, men who will not bend their politics to their purses, nor pursue measures by which they may profit, and then profit by their measures. *Au Diable les Bougres!* I am at the end of my curse and bottom of my page, so God bless you and yours.

Adieu, affectionately.

TH. JEFFERSON.

Statement, from memory, of a Letter I wrote to John Adams; copy omitted to be retained.

Monticello, December 28, 1796.

Dear Sir,

The public and the public papers have been much occupied lately in placing us in a point of opposition to each other. I confidently trust we have felt less of it ourselves. In the retired canton where I live, we know little of what is passing. Our last information from Philadelphia is of the 16th instant. At that date the issue of the late election seems not to have been known as a matter of fact. With me, however, its issue was never doubted. I knew the impossibility of your losing a single vote, north of the Delaware: and even if you should lose that of Pennsylvania in the mass, you would get enough south of it to make your election sure. I never, for a single moment, expected any other issue; and though I shall not be believed, yet it is not the less true, that I never wished any other. My neighbours, as my compurgators, could aver this fact, as seeing my occupations and my attachment to them. It is possible, indeed, that even you may be cheated of your succession by a trick worthy the subtlety of your arch-friend of New York, who has been able to make of your real friends tools for defeating their and your just wishes. Probably, however, he will be disappointed as to you, and my inclinations put me out of his reach. I leave to others the sublime delights of riding in the storm, better pleased with sound sleep and a warmer birth below it, encircled with the society of my neighbours, friends, and fellow-labourers of the earth, rather than with spies and sycophants. Still I shall value highly the share I may have had in the late vote, as a measure of the share I hold in the esteem of my fellow-citizens. In this point of view a few votes less are but little sensible, while a few more would have been in their effect very sensible and oppressive to me. I have no ambition to govern men. It is a painful and thankless office; and never since the day you signed the treaty of Paris has our horizon been so overcast. I devoutly wish you may be able to shun for us this war, which will destroy our agriculture, commerce, and credit; if you do, the glory will be all your own. And that your administration may be filled with glory and happiness to yourself and advantage to us, is the sincere prayer of one who, though in the course of our voyage various little incidents have happened or been contrived to

separate us, yet retains for you the solid esteem of the tim
when we were working for our independence, and sentimen
of sincere respect and attachment.

TH. JEFFERSON.

Statement from memory, of a letter I wrote to James Madison
copy omitted to be retained.

Monticello, January 1, 1797.

DEAR SIR,

Yours of December the 19th is safely received. I never e
tertained a doubt of the event of the election. I knew th
the eastern troops were trained in the schools of their tow
meetings, to sacrifice little differences of opinion to the sol
advantages of operating in phalanx, and that the more free a
moral agency of the other States would fully supply the
deficiency. I had no expectation, indeed, that the vote wou
have approached so near an equality. It is difficult to obta
full credit to declarations of disinclination to honours, a
most so with those who still remain in the world. But nev
was there a more solid unwillingness founded on rigorous ca
culation, formed in the mind of any man, short of perempto
refusal. No arguments, therefore, were necessary to reconci
me to a relinquishment of the first office, or acceptance of th
second. No motive could have induced me to undertake th
first, but that of putting our vessel upon her republican tack
and preventing her being driven too far to leeward of her tr
principles. And the second is the only office in the worl
about which I cannot decide in my own mind, whether I ha
rather have it or not have it. Pride does not enter into th
estimate. For I think with the Romans of old, that the Gene
ral of to-day should be a common soldier to-morrow, if nece
sary. But as to Mr. Adams, particularly, I could have n
feelings which would revolt at being placed in a seconda
station to him. I am his junior in life, I was his junior i
Congress, his junior in the diplomatic line, and lately h
junior in our civil government. I had written him the inclose
letter before the receipt of yours. I had intended it for som
time, but had put it off, from time to time, from the discou
agement of despair to make him believe me sincere. As th
information by the last post does not make it necessary t
change any thing in the letter, I inclose it open for your peru
sal, as well that you may be possessed of the true state of dis

positions between us, as that if there be any circumstance which might render its delivery ineligible, you may return it to me. If Mr. Adams could be induced to administer the government on its true principles, quitting his bias for an English constitution, it would be worthy consideration whether it would not be for the public good, to come to a good understanding with him as to his future elections. He is the only sure barrier against Hamilton's getting in.

* * * * * * *

The Political Progress is a work of value, and of a singular complexion. The author's eye seems to be a natural achromatic, divesting every object of the glare of colour. The former work of the same title possessed the same kind of merit. They disgust one, indeed, by opening to his view the ulcerated state of the human mind. But to cure an ulcer you must go to the bottom of it, which no author does more radically than this. The reflections into which it leads us are not very flattering to the human species. In the whole animal kingdom I recollect no family but man, steadily and sytematically employed in the destruction of itself. Nor does what is called civilization produce any other effect, than to teach him to pursue the principle of the *bellum omnium in omnia* on a greater scale, and instead of the little contests between tribe and tribe, to comprehend all the quarters of the earth in the same work of destruction. If to this we add, that as to other animals, the lions and tigers are mere lambs compared with man as a destroyer, we must conclude that nature has been able to find in man alone a sufficient barrier against the too great multiplication of other animals and of man himself, an equilibrating power against the fecundity of generation. While, in making these observations, my situation points my attention to the warfare of man in the physical world, yours may perhaps present him as equally warring in the moral one.

Adieu. Yours affectionately.

Th. Jefferson.

TO MR. VOLNEY.

Monticello, January 8, 1797.

DEAR SIR,

I received yesterday your two favours of December the 26th and 29th. Your impatience to receive your valise and its key was natural: and it is we who have been to blame; Mr. Randolph, for not taking information of the vessel and address to which your valise was committed, and myself, for having waited till I heard of your being again immerged into the land of newspapers before I forwarded your key. However, as you have at length got them safe, I claim absolution, under the proverb, that 'all is well which ends well.'

About the end of 1793, I received from Mr. Dombey (then at Lyons) a letter announcing his intention to come here. And in May, 1794, I received one from a M. L'Epine, dated from New York, and stating himself to be master of the brig De Boon, Captain Brown, which had sailed from Havre with Mr. Dombey on board, who had sealed up his baggage, and wrote my address on them, to save them in case of capture; and that when they were taken, the address did in fact protect them. He mentioned then the death of Mr. Dombey, and that he had delivered his baggage to the Custom House at New York. I immediately wrote to M. L'Epine, disclaiming any right or interest in the packages under my address, and authorising, as far as depended on me, the consul at New York, or any person the representative of Mr. Dombey, to open the packages and dispose of them according to right. I inclosed this letter open to Mr. Randolph, then Secretary of State, to get his interference for the liberation of the effects. It may have happened that he failed to forward the letter, or that M. L'Epine may have gone before it reached New York. In any event, I can do no more than repeat my disclaimer of any right to Mr. Dombey's effects, and add all the authority which I can give to yourself, or to the consul of France at New York, to do with those effects whatever I might do. Certainly, it would be a great gratification to me to receive the Mètre and Grave committed to Mr. Dombey for me, and that you would be so good as to be the channel of my acknowledgments to Bishop Gregoire, or any one else to whom I should owe this favour.

You wish to know the state of the air here during the late cold spell, or rather the present one, for it is at this moment so cold that the ink freezes in my pen so that my letter will scarcely be legible.

The following is copied from my diary:

	Sun rise.	3 P. M.		Sun rise.	3 P. M.		Sun rise.	3. P. M.	
Nov. 22	60	69	Dec. 19	50	48	Dec. 28	18	34	
23	32 1-2	44	20	19	"	29	30	39	
24	23	28	21	24	"	30	31	34	a snow 1 1-2 inches deep.
25	21	35	22	12	"	31	34	39	
26	12	26	23	5 below 0	11	Jan. 1 0	30	43	
27	15	29	24	0	20	2	28	33	
28	18	"	25	18	32	3	23	30	a snow 3 inches deep.
29	25	36	26	21	30	4	23	30	
30	22	43	27	15	29	5	21	35	
						6	27	38	
						7	25	22	
						8	12		

In the winter of 1779-80, the mercury in Fahrenheit's thermometer fell, at Williamsburg, once to six degrees above zero. In 1783-84, I was at Annapolis, without a thermometer, and I do not know that there was one in that State. I heard, from Virginia, that the mercury was again down to six degrees. In 1789-90, I was at Paris. The mercury here was as low as eighteen degrees below zero, of Fahrenheit. These have been the most remarkably cold winters ever known in America. We are told, however, that in 1762, at Philadelphia, it was twenty-two degrees below zero: in December, 1793, it was three degrees below zero there by my thermometer. On the 31st of January, 1796, it was one and three-fourth degrees above zero at Monticello. I shall therefore have to change the maximum of our cold, if ever I revise the Notes on Virginia; as six degrees above zero was the greatest which had ever been observed.

It seems possible, from what we hear of the votes at the late election, that you may see me in Philadelphia about the beginning of March, exactly in that character which, if I were to re-appear at Philadelphia, I would prefer to all others; for I change the sentiment of Clorinda to 'L'Alte temo, l' humile non sdegno.' I have no inclination to govern men. I should have no views of my own in doing it; and as to those of the governed, I had rather that their disappointment (which must always happen) should be pointed to any other cause, real or supposed, than to myself. I value the late vote highly; but it is only as the index of the place I hold in the esteem of my fellow citizens. In this point of view, the difference between sixty-eight and seventy-one votes is little sensible; and still less that between the real vote, which was sixty-nine and seventy; because one real elector in Pennsylvania was excluded from voting by the miscarriage of the votes, and one who was not an elector was admitted to vote. My farm, my family, my books, and my building, give me much more pleasure than any public office would, and, especially, one which would keep me constantly from them. I had hoped, when you were here, to have finished the walls of my house in the autumn, and to have covered it early in winter. But we did not finish them at all. I have to resume the work, therefore, in the spring, and to take off the roof of the old part during the summer, to cover the whole. This will render it necessary for me to make a very short stay in Philadelphia, should the late vote have given me any public duty there. My visit there will be merely out of respect to the public, and to the new President.

I am sorry you have received so little information on the subject of our winds. I had once (before our revolution war) a project on the same subject. As I had then an extensive acquaintance over this State, I meant to have engaged some person in every county of it, giving them each a thermometer, to observe that and the winds twice a day, for one year, to wit, at sun-rise and at four P. M. (the coldest and the warmest point of the twenty-four hours), and to communicate their observations to me at the end of the year. I should then have selected the days in which it appeared that the winds blew to a centre within the State, and have made a map of them, and seen how far they had analogy with the temperature of the air. I meant this to be merely a specimen to be communicated to the Philosophical Society at Philadelphia, in order to engage them, by means of their correspondents, to have the same thing done in every State, and through a series of years. By seizing the days when the winds centered in any part of the United States, we might, in time, have come at some of the causes which determine the direction of the winds, which I suspect to be very various. But this long-winded project was prevented by the war which came upon us, and since that I have been far otherwise engaged. I am sure you will have viewed the subject from much higher ground, and I shall be happy to learn your views in some of the hours of *délassement*, which I hope we are yet to pass together. To this must be added your observations on the new character of man, which you have seen in your journey, as he is, in all his shapes, a curious animal, on whom no one is better qualified to judge than yourself; and no one will be more pleased to participate of your views of him than one, who has the pleasure of offering you his sentiments of sincere respect and esteem.

TH. JEFFERSON.

TO HENRY TAZEWELL.

Monticello, January 16, 1797.

DEAR SIR,

As far as the public papers are to be credited, I may suppose that the choice of Vice President has fallen on me. On this hypothesis I trouble you, and only pray, if it be wrong, that you will consider this letter as not written. I believe it belongs to the Senate to notify the Vice President of his election. I recollect to have heard, that on the first election of President and Vice President, gentlemen of considerable office were sent to notify the parties chosen. But this was the inauguration of our new government, and ought not to be drawn into example. At the second election, both gentlemen were on the spot, and needed no messengers. On the present occasion, the President will be on the spot, so that what is now to be done respects myself alone: and considering that the season of notification will always present one difficulty, that the distance in the present case adds a second, not inconsiderable, and which may, in future, happen to be sometimes much more considerable, I hope the senate will adopt that method of notification, which will always be least troublesome and most certain. The channel of the post is certainly the least troublesome, is the most rapid, and, considering also that it may be sent by duplicates and triplicates, is unquestionably the most certain. Indorsed to the post-master at Charlottesville, with an order to send it by express, no hazard can endanger the notification. Apprehending, that should there be a difference of opinion on this subject, in the Senate, my ideas of self-respect might be supposed by some to require something more formal and inconvenient, I beg leave to avail myself of your friendship to declare, if a different proposition should make it necessary, that I consider the channel of the post-office as the most eligible, in every respect, and that it is to me the most desirable; which I take the liberty of expressing, not with a view of encroaching on the respect due to that discretion which the Senate have a right to exercise on the occasion, but to render them the more free in the exercise of it, by taking off whatsoever weight the supposition of a contrary desire in me might have on the mind of any member.

I am, with sincere respect,
Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO JAMES MADISON.

Monticello, January 16, 1797.

Dear Sir,

The several accidents of the winter, ice, floods, rains, prevented the Orange post from coming to Charlottesville the last post-day, so that we have nothing from Philadelphia the last week. I see, however, by the Richmond papers, a probability that the choice of Vice President has fallen on me. I have written the inclosed letter, therefore, to Mr. Tazewell, as a private friend, and have left it open for your perusal. It will explain its own object, and I pray you and Mr. Tazewell to decide, in your own discretion, how it may best be used for its object, so as to avoid the imputation of an indecent forwardness in me.

I observe, doubts are still expressed as to the validity of the Vermont election. Surely, in so great a case, substance, and not form, should prevail. I cannot suppose that the Vermont constitution has been strict in requiring particular forms of expressing the legislative will. As far as my disclaimer may have any effect, I pray you to declare it on every occasion, foreseen or not foreseen by me, in favour of the choice of the people substantially expressed, and to prevent the phenomenon of a pseudo-President at so early a day. Adieu.

Yours affectionately,

Th. Jefferson.

TO JAMES MADISON.

Monticello, January 22, 1797.

Dear Sir,

Yours of the 8th came to hand yesterday. I was not aware of any necessity of going on to Philadelphia immediately; yet I had determined to do it, as a mark of respect to the public, and to do away the doubts which have spread, that I should consider the second office as beneath my acceptance. The journey, indeed, for the month of February, is a tremendous undertaking for me, who have not been seven miles from home since my re-settlement. I will see you about the rising of Congress; and presume I need not stay there a week. Your letters, written before the 7th of February, will still find me here. My letters inform me that Mr. Adams speaks of me with great friendship, and with satisfaction in the prospect of administering the government in concurrence with me. I am glad of the first information; because, though I saw that our ancient friendship was affected by a little leaven, produced partly by his constitution, partly by the contrivance of others, yet I never felt a diminution of confidence in his integrity, and retained a solid affection for him. His principles of government I knew to be changed, but conscientiously changed. As to my participating in the administration, if by that he meant the executive cabinet, both duty and inclination will shut that door to me. I cannot have a wish to see the scenes of 1793 revived as to myself, and to descend daily into the arena, like a gladiator, to suffer martyrdom in every conflict. As to duty, the constitution will know me only as the member of a legislative body: and its principle is, that of a separation of legislative, executive, and judiciary functions, except in cases specified. If this principle be not expressed in direct terms, yet it is clearly the spirit of the constitution, and it ought to be so commented and acted on by every friend to free government.

I sincerely deplore the situation of our affairs with France. War with them and consequent alliance with Great Britain, will completely compass the object of the executive council, from the commencement of the war between France and England; taken up by some of them from that moment, by others, more latterly. I still, however, hope it will be avoided. I do not believe Mr. Adams wishes war with France; nor do I believe he will truckle to England as servilely as has been done. If he assumes this front at once, and shews that he means to attend to self respect and national dignity with both the nations, perhaps the depredations of both on our commerce may be amicably arrested. I think we should begin first with those who first began with us, and, by an example on them, require a right to re-demand the respect from which the other party has departed.

I suppose you are informed of the proceeding, commenced by the legislature of Maryland, to claim the south branch of the Potomac as their boundary, and thus of Albemarle, now the central county of the state, to make a frontier. As it is impossible, upon any consistent principles, and after such a length of undisturbed possession, that they can expect to establish their claim, it can be ascribed to no other than an intention to irritate and divide; and there can be no doubt from what bow the shaft is shot. However, let us cultivate

Pennsylvania, and we need not fear the universe. The Assembly have named me among those who are to manage this controversy. But I am so averse to motion and contest, and the other members are so fully equal to the business, that I cannot undertake to act in it. I wish you were added to them. Indeed, I wish and hope you may consent to be added to our Assembly itself. There is no post where you can render greater services, without going out of your state. Let but this block stand firm on its basis, and Pennsylvania do the same, our Union will be perpetual, and our General Government kept within the bounds and form of the constitution.

Adieu affectionately.

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, January 30, 1797.

DEAR SIR,

Yours of the 18th came to hand yesterday. I am very thankful for the discretion you have exercised over the letter. That has happened to be the case, which I knew to be possible, that the honest expression of my feelings towards Mr. Adams might be rendered *mal-à propos* from circumstances existing, and known at the seat of government, but not known by me in my retired situation. Mr. Adams and myself were cordial friends from the beginning of the revolution. Since our return from Europe, some little incidents have happened, which were capable of affecting a jealous mind like his. His deviation from that line of politics on which we had been united, has not made me less sensible of the rectitude of his heart: and I wish him to know this, and also another truth, that I am sincerely pleased at having escaped the late draught for the helm, and have not a wish which he stands in the way of. That he should be convinced of these truths, is important to our mutual satisfaction, and perhaps to the harmony and good of the public service. But there was a difficulty in conveying them to him, and a possibility that the attempt might do mischief there or somewhere else; and I would not have hazarded the attempt, if you had not been in place to decide upon its expediency. It has now become unnecessary to repeat it by a letter.

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I have turned to the constitution and laws, and find nothing to warrant the opinion that I might not have been qualified here, or wherever else I could meet with a senator; any member of that body being authorised to administer the oath, without being confined to time or place, and consequently to make a record of it, and to deposit it with the records of the senate. However, I shall come on, on the principle which had first determined me,—respect to the public. I hope I shall be made a part of no ceremony whatever. I shall escape into the city as covertly as possible. If Governor Mifflin should shew any symptoms of ceremony, pray contrive to parry them. We have now fine mild weather here. The thermometer is above the point which renders fires necessary.

Adieu affectionately.

TH. JEFFERSON.

TO JAMES SULLIVAN.

Monticello, February 9, 1797.

DEAR SIR,

I have many acknowledgments to make for the friendly anxiety you are pleased to express in your letter of January the 12th, for my undertaking the office to which I have been elected. The idea that I would accept the office of President, but not that of Vice President of the United States, had not its origin with me. I never thought of questioning the free exercise of the right of my fellow citizens, to marshal those whom they call into their service according to their fitness, nor ever presumed that they were not the best judges of that. Had I indulged a wish in what manner they should dispose of me, it would precisely have coincided with what they have done. Neither the splendour, nor the power, nor the difficulties, nor the fame or defamation, as may happen, attached to the first magistracy, have any attractions for me. The helm of a free government is always arduous, and never was ours more so than at a moment when two friendly people are like to be committed in war by the ill temper of their administrations. I am so much attached to my domestic situation, that I would not have wished to leave it at all. However, if I am to be called from it, the shortest absences and most tranquil station suit me best. I value highly, indeed, the part my fellow citizens gave me in their late vote, as an evidence of their esteem, and I am happy in the information you are so kind as to give, that many in the eastern quarter entertain the same sentiment.

Where a constitution, like ours, wears a mixed aspect of monarchy and republicanism, its citizens will naturally divide into two classes of sentiment, according as their tone of body or mind, their habits, connections and callings, induce them to wish to strengthen either the monarchical or the republican features of the constitution. Some will consider it as an elective monarchy, which had better be made hereditary, and therefore endeavour to lead towards that all the forms and principles of its administration. Others will view it as an energetic republic, turning in all its points on the pivot of free and frequent elections. The great body of our native citizens are unquestionably of the republican sentiment. Foreign education, and foreign connections of interest, have produced some exceptions in every part of the Union, north and south, and perhaps other circumstances in your quarter, better known to you, may have thrown into the scale of exceptions a greater number of the rich. Still there, I believe, and here, I am sure, the great mass is republican. Nor do any of the forms in which the public disposition has been pronounced in the last half dozen years, evince the contrary. All of them, when traced to their true source, have only been evidences of the preponderant popularity of a particular great character. That influence once withdrawn, and our countrymen left to the operation of their own unbiassed good sense, I have no doubt we shall see a pretty rapid return of general harmony, and our citizens moving in phalanx in the paths of regular liberty, order, and a sacrosanct adherence to the constitution. Thus I think it will be, if war with France can be avoided. But if that untoward event comes athwart us in our present point of deviation, no body, I believe, can foresee into what port it will drive us.

I am always glad of an opportunity of inquiring after my most ancient and respected friend, Mr. Samuel Adams. His principles, founded on the immovable basis of equal right and reason, have continued pure and unchanged. Permit me to place here my sincere veneration for him, and wishes for his health and happiness; and to assure yourself of the sentiments of esteem and respect, with which I am,

Dear Sir,

Your most obedient and most humble servant,

TH. JEFFERSON.

TO ELBRIDGE GERRY.

Philadelphia, May 13, 1797.

My Dear Friend,

Your favour of the 4th instant came to hand yesterday. That of the 4th of April, with the one for Monroe, has never been received. The first, of March the 27th, did not reach me till April the 21st, when I was within a few days of setting out for this place, and I put off acknowledging it till I should come here. I entirely commend your dispositions towards Mr. Adams; knowing his worth as intimately, and esteeming it as much as any one, and acknowledging the preference of his claims, if any I could have had, to the high office conferred on him. But in truth, I had neither claims nor wishes on the subject, though I know it will be difficult to obtain belief of this. When I retired from this place, and the office of Secretary of State, it was in the firmest contemplation of never more returning here. There had, indeed, been suggestions in the public papers, that I was looking towards a succession to the President's chair; but feeling a consciousness of their falsehood, and observing that the suggestions came from hostile quarters, I considered them as intended merely to excite public odium against me. I never in my life exchanged a word with any person on the subject, till I found my name brought forward generally, in competition with that of Mr. Adams. Those with whom I then communicated, could say, if it were necessary, whether I met the call with desire, or even with a ready acquiescence, and whether from the moment of my first acquiescence, I did not devoutly pray that the very thing might happen which has happened. The second office of this government is honourable and easy, the first is but a splendid misery.

You express apprehensions that stratagems will be used, to produce a misunderstanding between the President and myself. Though not a word having this tendency has ever been hazarded to me by any one, yet I consider as a certainty that nothing will be left untried to alienate him from me. These machinations will proceed from the Hamiltonians, by whom he is surrounded, and who are only a little less hostile to him than to me. It cannot but damp the pleasure of cordiality, when we suspect that it is suspected. I cannot help thinking, that it is impossible for Mr. Adams to believe that the state of my mind is what it really is; that he may think I view him as an obstacle in my way. I have no supernatural power to impress truth on the mind of another, nor he any to discover that the estimate which he may form, on a just view of the human mind, as generally constituted, may not be just in its application to a special constitution. This may be a source of private uneasiness to us:—I honestly confess that it is so to me at this time. But neither of us is capable of letting it have effect on our public duties. Those who may endeavour to separate us, are probably excited by the fear that I might have influence on the executive councils: but when they shall know that I consider my office as constitutionally confined to legislative functions, and that I could not take any part whatever in executive consultations, even were it proposed, their fears may perhaps subside, and their object be found not worth a machination.

I do sincerely wish with you, that we could take our stand on a ground perfectly neutral and independent towards all nations. It has been my constant object, through my public life; and with respect to the English and French, particularly, I have too often expressed to the former my wishes, and made to them propositions, verbally and in writing, officially and privately, to official and private characters, for them to doubt of my views, if they would be content with equality. Of this they are in possession of several written and formal proofs in my own hand-writing. But they have wished a monopoly of commerce and influence with us; and they have in fact obtained it. When we take notice that theirs is the workshop to which we go for all we want; that with them centre, either immediately or ultimately, all the labours of our hands and lands; that to them belongs, either openly or secretly, the great mass of our navigation; that even the factorage of their affairs here, is kept to themselves by factitious citizenships; that these foreign and false citizens now constitute the great body of what are called our merchants, fill our sea ports, are planted in every little town and district of the interior country, sway every thing in the former places by their own votes, and those of their dependants, in the latter, by their insinuations and the influence of their ledgers; that they are advancing fast to a monopoly of our banks and public funds, and thereby placing our public finances under their control; that they have in their alliance the most influential characters in and out of office; when they have shewn that by all these bearings on the different branches of the government, they can force it to proceed in whatever direction they dictate, and bend the interests of this country entirely to the will of another—when all this, I say, is attended to, it is impossible for us to say we stand on independent ground, impossible for a free mind not to see and to groan under the bondage in which it is bound. If any thing after this, could excite surprise, it would be that they have been able so far to throw dust in the eyes of our own citizens, as to fix on those who wish merely to recover self-government, the charge of subserving one foreign influence, because they resist submission to another. But they possess our printing presses, a powerful engine in their government of us. At this very moment, they would have drawn us into a war on the side of England, had it not been for the failure of her bank. Such was their open and loud cry, and that of their gazettes till this event. After plunging us in all the broils of the European nations, there would remain but one act to close our tragedy, that is, to break up our Union; and even this they have ventured seriously and solemnly to propose and maintain by arguments in a Connecticut paper. I have been happy, however, in believing, from the stifling of this effort, that that dose was found too strong, and excited as much repugnance there as it did horror in other parts of our country, and that whatever follies we may be led into as to foreign nations, we shall never give up our Union, the last anchor of our hope, and that alone which is to prevent this heavenly country from becoming an arena of gladiators. Much as I abhor war, and view it as the greatest scourge of mankind, and anxiously as I wish to keep out of the broils of Europe, I would yet go with my brethren into these, rather than separate from them. But I hope we may still keep clear of them, notwithstanding our present thraldom, and that time may be given us to reflect on the awful crisis we have passed through, and to find some means of shielding ourselves in future from foreign influence, political, commercial, or in whatever other form it may be attempted. I can scarcely withhold myself from joining in the wish of Silas Deane, that there were an ocean of fire between us and the old world.

A perfect confidence that you are as much attached to peace and union as myself, that you equally prize independence of all nations and the blessings of self government, has induced me freely to unbosom myself to you, and let you see the light in which I have viewed what has been passing among us from the beginning of the war. And I shall be happy, at all times, in an intercommunication of sentiments with you, believing that the dispositions of the different parts of our country have been considerably misrepresented and misunderstood in each part, as to the other, and that nothing but good can result from an exchange of information and opinions between those whose circumstances and morals admit no doubt of the integrity of their views.

I remain, with constant and sincere esteem,
Dear Sir,
Your affectionate friend and servant,
TH. JEFFERSON.

TO GENERAL GATES.

Philadelphia, May 30, 1797.

DEAR GENERAL,

I thank you for the pamphlet of Erskine inclosed in your favour of the 9th instant, and still more for the evidence which your letter affords me of the health of your mind, and I hope of your body also. Erskine has been reprinted here, and has done good. It has refreshed the memory of those who had been willing to forget how the war between France and England had been produced; and who, apeing St. James's, called it a defensive war on the part of England. I wish any events could induce us to cease to copy such a model, and to assume the dignity of being original. They had their paper system, stockjobbing, speculations, public debt, monied interest, &c. and all this was contrived for us. They raised their cry against jacobinism and revolutionists, we against democratic societies and anti-federalists; their alarmists sounded insurrection, ours marched an army to look for one, but they could not find it. I wish the parallel may stop here, and that we may avoid, instead of imitating, a general bankruptcy and disastrous war.

Congress, or rather the Representatives, have been a fortnight debating between a more or less irritating answer to the President's speech. The latter was lost yesterday, by forty-eight against fifty-one or fifty-two. It is believed, however, that when they come to propose measures leading directly to war, they will lose some of their numbers. Those who have no wish but for the peace of their country, and its independence of all foreign influence, have a hard struggle indeed, overwhelmed by a cry as loud and imposing as if it were true, of being under French influence, and this raised by a faction composed of English subjects residing among us, or such as are English in all their relations and sentiments. However, patience will bring all to rights, and we shall both live to see the mask taken from their faces, and our citizens sensible on which side true liberty and independence are sought. Should any circumstance draw me further from home, I shall with great cordiality pay my respects to you at Rose Hill, and am not without hope of meeting you here some time.

Here, there, and every where else, I am, with great and sincere attachment and respect,

Your friend and servant,
TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, June 1, 1797.

DEAR SIR,

I wrote you on the 18th of May. The address of the Senate was soon after that. The first draught was responsive to the speech, and higher toned. Mr. Henry arrived the day it was reported; the addressers had not yet their strength around them. They listened therefore to his objections, recommitted the papers, added him and Tazewell to the committee, and it was reported with considerable alterations; but one great attack was made on it, which was to strike out the clause approving every thing heretofore done by the executive. This clause was retained by a majority of four. They received a new accession of members, held a caucus, took up all the points recommended in the speech, except the raising money, agreed the list of every committee, and on Monday passed the resolutions and appointed the committees, by an uniform vote of seventeen to eleven. (Mr. Henry was accidentally absent; Ross not then come.) Yesterday they took up the nomination of John Quincy Adams to Berlin, which had been objected to as extending our diplomatic establishment. It was approved by eighteen to fourteen. (Mr. Tatnall accidentally absent.) From the proceedings we are able to see, that eighteen on the one side and ten on the other, with two wavering votes, will decide every question. Schuyler is too ill to come this session, and Gunn has not yet come. Pinckney (the General), John Marshall, and Dana, are nominated Envoys Extraordinary to France. Charles Lee consulted a member from Virginia, to know whether Marshall would be agreeable. He named you, as more likely to give satisfaction. The answer was 'nobody of Mr. Madison's way of thinking will be appointed.'

The representatives have not yet got through their addr
An amendment of Mr. Nicholas's, which you will have se
the papers, was lost by a division of forty-six to fifty-two
clause by Mr. Dayton, expressing a wish that France
be put on an equal footing with other nations, was insert
fifty-two against forty-seven. This vote is most wort
notice, because the moderation and justice of the propo
being unquestionable, it shews that there are forty-seve
cided to go to all lengths to* * * * *
They have received a new orator from the district of
Ames. He is the son of the Secretary of the Senate.
have an accession from South Carolina also, that State
exactly divided. In the House of Representatives I lea
the following facts, which give me real concern. Whe
British treaty arrived at Charleston, a meeting, as you k
was called, and a committee of seventeen appointed, of
General Pinckney was one. He did not attend. They w
for him, sent for him: he treated the mission with
hauteur, and disapproved of their meddling. In the c
of subsequent altercations, he declared that his brothe
Pinckney, approved of every article of the treaty, unde
existing circumstances, and since that time, the politi
Charleston have been assuming a different hue. Young
ledge joining Smith and Harper, is an ominous fact as to
whole interest.

Tobacco is at nine dollars, and flour very dull of sale
great stagnation in commerce generally. During the pa
bankruptcy in England, the merchants seem disposed
on their oars. It is impossible to conjecture the risin
Congress, as it will depend on the system they decide
whether of preparation for war, or inaction. In the vo
forty-six to fifty-two, Morgan, Machir, and Evans were
majority, and Clay kept his seat, refusing to vote with e
In that of forty-seven to fifty-two, Evans was the only
our delegation who voted against putting France on an
footing with other nations.

P. M. So far I had written in the morning. I now
up my pen to add, that the addresses having been report
the House, it was moved to disagree to so much of the am
ment as went to the putting France on an equal footing
other nations, and Morgan and Machir turning tail, (in
quence, as is said, of having been closeted last nigh
Charles Lee), the vote was forty-nine to fifty. So the pri

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* A few lines are here unintelligible.

was saved by a single vote. They then proposed that compensations for spoliations shall be a *sine qua non*, and this will be decided on to-morrow.

Yours affectionately.

TH. JEFFERSON.

TO COLONEL BURR.

Philadelphia, June 17, 1797.

DEAR SIR,

The newspapers give so minutely what is passing in Congress, that nothing of detail can be wanting for your information. Perhaps, however, some general view of our situation and prospects, since you left us, may not be unacceptable. At any rate, it will give me an opportunity of recalling myself to your memory, and of evidencing my esteem for you. You well know how strong a character of division had been impressed on the Senate by the British treaty. Common error, common censure, and common efforts of defence had formed the treaty majority into a common band, which feared to separate even on other subjects. Towards the close of the last Congress, however, it had been hoped that their ties began to loosen, and their phalanx to separate a little. This hope was blasted at the very opening of the present session, by the nature of the appeal which the President made to the nation; the occasion for which had confessedly sprung from the fatal British treaty. This circumstance rallied them again to their standard, and hitherto we have had pretty regular treaty votes on all questions of principle. And indeed I fear, that as long as the same individuals remain, so long we shall see traces of the same division. In the House of Representatives the republican body has also lost strength. The non-attendance of five or six of that description, has left the majority very equivocal indeed. A few individuals, of no fixed system at all, governed by the panic or the prowess of the moment, flap as the breeze blows against the republican or the aristocratic bodies, and give to the one or the other a preponderance entirely accidental. Hence the dissimilar aspect of the address, and of the proceedings subsequent to that. The inflammatory composition of the speech excited sensations of resentment which had slept under British injuries, threw the wavering into the war scale, and produced the war address. Buonaparte's victories and those on the Rhine, the Austrian peace, British bankruptcy, mutiny of the seamen, and Mr. King's exhortations to pacific measures, have cooled them down again, and the scale of peace preponderates. The threatening propositions therefore, founded in the address, are abandoned one by one, and the cry begins now to be, that we have been called together to do nothing. The truth is, there is nothing to do, the idea of war being scouted by the events of Europe: but this only proves that war was the object for which we were called. It proves that the executive temper was for war; and that the convocation of the Representatives was an experiment of the temper of the nation, to see if it was in unison. Efforts at negotiation indeed were promised; but such a promise was as difficult to withhold, as easy to render nugatory. If negotiation alone had been meant, that might have been pursued without so much delay, and without calling the Representatives; and if strong and earnest negotiation had been meant, the additional nomination would have been of persons strongly and earnestly attached to the alliance of 1778. War then was intended. Whether abandoned or not, we must judge from future indications and events; for the same secrecy and mystery are affected to be observed by the present, which marked the former administration. I had always hoped, that the popularity of the late President being once withdrawn from active effect, the natural feelings of the people towards liberty would restore the equilibrium between the executive and legislative departments, which had been destroyed by the superior weight and effect of that popularity; and that their natural feelings of moral obligation would discountenance the ungrateful predilection of the executive in favour of Great Britain. But unfortunately, the preceding measures had already alienated the nation who were the object of them, had excited reaction from them, and this reaction has on the minds of our citizens an effect which supplies that of the Washington popularity. This effect was sensible on some of the late congressional elections, and this it is which has lessened the republican majority in Congress. When it will be reinforced, must depend on events, and these are so incalculable, that I consider the future character of our republic as in the air; indeed its future fortune will be in the air, if war is made on us by France, and if Louisiana becomes a Gallo-American colony.

I have been much pleased to see a dawn of change in the spirit of your State. The late elections have indicated something, which, at a distance, we do not understand. However, what with the English influence in the lower, and the Patroon influence in the upper parts of your State, I presume little is to be hoped. If a prospect could be once opened upon us of the penetration of truth into the eastern States; if the people there, who are unquestionably republicans, could discover that they have been duped into the support of measures calculated to sap the very foundations of republicanism, we might still hope for salvation, and that it would come, as of old, from the east. But will that region ever awake to the true state of things? Can the middle, southern, and western States hold on till they awake? These are painful and doubtful questions: and if, in assuring me of your health, you can give me a comfortable solution of them, it will relieve a mind devoted to the preservation of our republican government in the true form and spirit in which it was established, but almost oppressed with apprehensions that fraud will at length effect what force could not, and that what with currents and counter currents, we shall, in the end, be driven back to the land from which we launched twenty years ago. Indeed, my dear Sir, we have been but a sturdy fish on the hook of a dexterous angler, who letting us flounce till we have spent our force, brings us up at last.

I am tired of the scene, and this day sen'night shall change it for one, where, to tranquillity of mind may be added pursuits of private utility, since none public are admitted by the state of things.

I am, with great and sincere esteem,
Dear Sir,
Your friend and servant,
TH. JEFFERSON.

P. S. Since writing the above, we have received a report that the French Directory has proposed a declaration of war against the United States to the Council of Antients, who have rejected it. Thus we see two nations who love one another affectionately, brought, by the ill temper of their executive administrations, to the very brink of a necessity to imbrue their hands in the blood of each other.

T. J.

TO ELBRIDGE GERRY.

Philadelphia, June 21, 1797.

My Dear Friend,

It was with infinite joy to me, that you were yesterday announced to the Senate, as Envoy Extraordinary, jointly with General Pinckney and Mr. Marshall, to the French republic. It gave me certain assurance that there would be a preponderance in the mission, sincerely disposed to be at peace with the French government and nation. Peace is undoubtedly at present the first object of our nation. Interest and honour are also national considerations. But interest, duly weighed, is in favour of peace, even at the expense of spoliations past and future; and honour cannot now be an object. The insults and injuries committed on us by both the belligerent parties, from the beginning of 1793 to this day, and still continuing, cannot now be wiped off by engaging in war with one of them. As there is great reason to expect this is the last campaign in Europe, it would certainly be better for us to rub through this year, as we have done through the four preceding ones, and hope that on the restoration of peace we may be able to establish some plan for our foreign connections more likely to secure our peace, interest, and honour in future. Our countrymen have divided themselves by such strong affections, to the French and the English, that nothing will secure us internally but a divorce from both nations; and this must be the object of every real American, and its attainment is practicable without much self-denial. But for this, peace is necessary. Be assured of this, my dear Sir, that if we engage in a war during our present passions, and our present weakness in some quarters, our Union runs the greatest risk of not coming out of that war in the shape in which it enters it. My reliance for our preservation is in your acceptance of this mission. I know the tender circumstances which will oppose themselves to it. But its duration will be short, and its reward long. You have it in your power, by accepting and determining the character of the mission, to secure the present peace and eternal union of your country. If you decline, on motives of private pain, a substitute may be named who has enlisted his passions in the present contest, and by the preponderance of his vote in the mission, may entail on us calamities, your share in which, and your feelings, will outweigh whatever pain a temporary absence from your family could give you. The sacrifice will be short, the remorse would be never ending. Let me then, my dear Sir, conjure your acceptance, and that you will, by this act, seal the mission with the confidence of all parties. Your nomination has given a spring to hope, which was dead before.

I leave this place in three days, and therefore shall not here have the pleasure of learning your determination. But it will reach me in my retirement, and enrich the tranquillity of that scene. It will add to the proofs which have convinced me that the man who loves his country on its own account, and not merely for its trappings of interest or power, can never be divorced from it, can never refuse to come forward when he finds that she is engaged in dangers which he has the means of warding off. Make then an effort, my friend, to renounce your domestic comforts for a few months, and reflect that to be a good husband and good father at this moment, you must be also a good citizen.

With sincere wishes for your acceptance and success, I am, with unalterable esteem,

Dear Sir,
Your affectionate friend and servant,
TH. JEFFERSON.

TO EDWARD RUTLEDGE.

Philadelphia, June 24, 1797.

MY DEAR SIR,

I have to acknowledge your two favours of May the 4th and 19th, and to thank you for your attentions to the commissions for the peas and oranges, which I learn have arrived in Virginia. Your draft I hope will soon follow on Mr. John Barnes, merchant here, who, as I before advised you, is directed to answer it.

When Congress first met, the assemblage of facts presented in the President's speech, with the multiplied accounts of spoliations by the French West Indians, appeared, by sundry votes on the address, to incline a majority to put themselves in a posture of war. Under this influence the address was formed, and its spirit would probably have been pursued by corresponding measures, had the events of Europe been of an ordinary train. But this has been so extraordinary, that numbers have gone over to those, who, from the first, feeling with sensibility the French insults, as they had felt those of England before, thought now as they thought then, that war measures should be avoided, and those of peace pursued. Their favouri gine, on the former occasion, was *commercial regulatio* preference to negotiations, to war preparations, and in of debt. On the latter, as we have no commerce with F the restriction of which could press on them, they wish negotiation. Those of the opposite sentiment had, o former occasion, preferred negotiation, but at the sam voted for great war preparations, and increase of debt: also they were for negotiation, war preparations, and The parties have in debate mutually charged each othe inconsistency, and with being governed by an attachm this or that of the belligerent nations, rather than the di of reason and pure Americanism. But, in truth, both been consistent: the same men having voted for war me who did before, and the same against them now who d fore. The events of Europe coming to us in astonishin rapid succession, to wit, the public bankruptcy of En Buonaparte's successes, the successes on the Rhine, the trian peace, mutiny of the British fleet, Irish insurrect demand of forty-three millions for the current services year, and, above all, the warning voice, as is said, of Mr. to abandon all thought of connection with Great Britain she is going down irrecoverably, and will sink us also, do not clear ourselves, have brought over several to the party, so as, at present, to give majorities against all t ening measures. They go on with frigates and fortifica because they were going on with them before. They eighty thousand of their militia to hold themselves in rea for service. But they reject the propositions to raise ca artillery, and a provisional army, and to trust private with arms in the present combustible state of things. believe the present is the last campaign of Europe, and to rub through this fragment of a year, as they have th the four preceding ones, opposing patience to insult, and rest to honour. They will, therefore, immediately ad This is, indeed, a most humiliating state of things, but it menced in 1793. Causes have been adding to causes effects accumulating on effects, from that time to this. had, in 1793, the most respectable character in the uni What the neutral nations think of us now, I know not we are low indeed with the belligerents. Their kick cuffs prove their contempt. If we weather the present I hope we shall avail ourselves of the calm of peace, to our foreign connections under a new and different an ment. We must make the interest of every nation surety for their justice, and their own loss to follow injury to us, as effect follows its cause. As to every thing, except commerce, we ought to divorce ourselves from them all. But this system would require time, temper, wisdom, and occasional sacrifice of interest: and how far all of these will be ours, our children may see, but we shall not. The passions are too high at present, to be cooled in our day. You and I have formerly seen warm debates and high political passions. But gentlemen of different politics would then speak to each other, and separate the business of the Senate from that of society. It is not so now. Men who have been intimate all their lives, cross the streets to avoid meeting, and turn their heads another way, lest they should be obliged to touch their hats. This may do for young men, with whom passion is enjoyment. But it is afflicting to peaceable minds. Tranquillity is the old man's milk. I go to enjoy it in a few days, and to exchange the roar and tumult of bulls and bears, for the prattle of my grand-children and senile rest. Be these yours, my dear friend, through long years, with every other blessing, and the attachment of friends as warm and sincere, as

Yours affectionately,

TH. JEFFERSON.

THOMAS JEFFERSON TO JAMES MADISON.

Monticello, August 3, 1797.

I scribbled you a line on the 24th ultimo: it missed of the post, and so went by a private hand. I perceive from yours by Mr. Bringhurst, that you had not received it. In fact, it was only an earnest exhortation to come here with Monroe, which I still hope you will do. In the mean time, I inclose you a letter from him, and wish your opinion on its principal subject. The variety of other topics the day I was with you, kept out of sight the letter to Mazzei imputed to me in the papers, the general substance of which is mine, though the diction has been considerably altered and varied in the course of its translations from English into Italian, from Italian into French, and from French into English. I first met with it at Bladensburg, and for a moment conceived I must take the field of the public papers. I could not disavow it wholly, because the greatest part was mine, in substance, though not in form. I could not avow it as it stood, because the form was not mine, and, in one place, the substance very materially falsified. This, then, would render explanations necessary; nay, it would render proofs of the whole necessary, and draw me at length into a publication of all (even the secret) transactions of the administration while I was of it; and embroil me personally with every member of the executive, with the judiciary, and with others still. I soon decided in my own mind to be entirely silent. I consulted with several friends at Philadelphia, who, every one of them, were clearly against my avowing or disavowing, and some of them conjured me most earnestly to let nothing provoke me to it. I corrected, in conversation with them, a substantial misrepresentation in the copy published. The original has a sentiment like this (for I have it not before me), 'they are endeavouring to submit us to the substance, as they already have to the *forms* of the British government;' meaning by *forms*, the birth-days, levees, processions to parliament, inauguration pomposities, &c. But the copy published says, 'as they have already submitted us to the *form* of the British,' &c.; making me express hostility to the form of our government, that is to say, to the constitution itself. For this is really the difference of the word *form*, used in the singular or plural, in that phrase, in the English language. Now it would be impossible for me to explain this publicly, without bringing on a personal difference between General Washington and myself, which nothing before the publication of this letter has ever done. It would embroil me also with all those with whom his character is still popular, that is to say, nine-tenths of the people of the United States; and what good would be obtained by avowing the letter with the necessary explanations? Very little, indeed, in my opinion, to counterbalance a good deal of harm. From my silence in this instance, it cannot be inferred that I am afraid to own the general sentiments of the letter. If I am subject to either imputation, it is to that of avowing such sentiments too frankly both in private and public, often when there is no necessity for it, merely because I disdain every thing like duplicity. Still, however, I am open to conviction. Think for me on the occasion, and advise me what to do, and confer with Colonel Monroe on the subject.

Let me intreat you again to come with him; there are other important things to consult on. One will be his affair. Another is the subject of the petition now inclosed you, to be proposed to our district, on the late presentment of our representative by the grand jury: the idea it brings forward is still confined to my own breast. It has never been mentioned to any mortal, because I first wish your opinion on the expediency of the measure. If you approve it, I shall propose to * * * or some other, to father it, and to present it to the counties at their general muster. This will be in time for our Assembly. The presentment going in the public papers just at the moment when Congress was together, produced a great effect, both on its friends and foes in that body, very much to the disheartening and mortification of the latter. I wish this petition, if approved, to arrive there under the same circumstances, to produce the counter effect so wanting for their gratification. I could have wished to receive it from you again at our court on Monday, because * * * and * * * will be there, and might also be consulted, and commence measures for putting it into motion. If you can return it then, with your opinion, it will be of importance. Present me affectionately to Mrs. Madison, and convey to her my intreaties to interpose her good offices and persuasives with you to bring her here, and before we uncover our house, which will yet be some weeks.

Salutations and adieu.

TO COLONEL ARTHUR CAMPBELL.

Monticello, September 1, 1797.

DEAR SIR,

I have to acknowledge the receipt of your favour of July the 4th, and to recognise in it the sentiments you have ever held, and worthy of the day on which it is dated. It is true that a party has risen up among us, or rather has come among us, which is endeavouring to separate us from all friendly connection with France, to unite our destinies with those of Great Britain, and to assimilate our government to theirs. Our lenity in permitting the return of the old tories, gave the first body to this party; they have been increased by large importations of British merchants and factors, by American merchants dealing on British capital, and by stock dealers and banking companies, who, by the aid of a paper system, are enriching themselves to the ruin of our country, and swaying the government by their possession of the printing presses, which their wealth commands, and by other means, not always honourable to the character of our countrymen. Hitherto, their influence and their system have been irresistible, and they have raised up an executive power which is too strong for the legislature. But I flatter myself they passed their zenith. The people, while these things doing, were lulled into rest and security from a cause whi longer exists. No prepossessions now will shut their e truth. They begin to see to what port their leaders steering during their slumbers, and there is yet time tc in, if we can avoid a war with France. All can be peaceably, by the people confining their choice of Repre tives and Senators to persons attached to republican goven and the principles of 1776, not office hunters, but far whose interests are entirely agricultural. Such men ar true representatives of the great American interest, an alone to be relied on for expressing the proper America timents. We owe gratitude to France, justice to Eng good will to all, and subservience to none. All this m brought about by the people, using their elective rights prudence and self-possession, and not suffering themselv be duped by treacherous emissaries. It was by the sense of our citizens that we were safely and steadil ducted from monarchy to republicanism, and it is by the agency alone we can be kept from falling back. I am h in this occasion of reviving the memory of old things, a assuring you of the continuance of the esteem and respec

Dear Sir,
Your friend and servant,
TH. JEFFERS

THOMAS JEFFERSON TO JAMES MONROE.

Monticello, September 7, 1

The doubt which you suggest as to our jurisdiction ove case of the Grand Jury *v.* Cabell, had occurred to me naturally occurs on first view of the question. But I l that to send the petition to the House of Representativ Congress, would make bad worse; that a majority of House would pass a vote of approbation. On examinati the question too, it appeared to me that we could maintai authority of our own government over it.

A right of free correspondence between citizen and ci on their joint interests, whether public or private, and whatsoever laws these interests arise, (to wit, of the Sta Congress, of France, Spain, or Turkey,) is a natural r it is not the gift of any municipal law, either of Englan

Virginia, or of Congress; but, in common with all our other natural rights, it is one of the objects for the protection of which society is formed, and municipal laws established.

The courts of this commonwealth (and among them the General Court, as a court of impeachment) are originally competent to the cognizance of all infractions of the rights of one citizen by another citizen: and they still retain all their judiciary cognizances not expressly alienated by the federal constitution.

The federal constitution alienates from them all cases arising, 1st, under the constitution; 2dly, under the laws of Congress; 3dly, under treaties, &c. But this right of free correspondence, whether with a public representative in General Assembly, in Congress, in France, in Spain, or with a private one charged with pecuniary trust, or with a private friend the object of our esteem, or any other, has not been given to us under, 1st, the federal constitution; 2dly, any law of Congress; or, 3rdly, any treaty; but, as before observed, by nature. It is therefore not alienated, but remains under the protection of our courts.

Were the question even doubtful, that is no reason for abandoning it. The system of the General Government is to seize all doubtful ground. We must join in the scramble, or get nothing. Where first occupancy is to give right, he who lies still loses all. Besides, it is not right for those who are only to act in a preliminary form, to let their own doubts preclude the judgment of the court of ultimate decision. We ought to let it go to the House of Delegates for their consideration, and they, unless the contrary be palpable, ought to let it go to the General Court, who are ultimately to decide on it.

It is of immense consequence that the States retain as complete authority as possible over their own citizens. The withdrawing themselves under the shelter of a foreign jurisdiction, is so subversive of order, and so pregnant of abuse, that it may not be amiss to consider how far a law of *præmunire* should be revised and modified, against all citizens who attempt to carry their causes before any other than the State courts, in cases where those other courts have no right to their cognizance. A plea to the jurisdiction of the courts of their State, or a reclamation of a foreign jurisdiction, if adjudged valid, would be safe; but if adjudged invalid, would be followed by the punishment of *præmunire* for the attempt.

Think further of the preceding part of this letter, and we will have further conference on it. Adieu.

P. S. Observe, that it is not the breach of Mr. Cabell's privilege which we mean to punish: that might lie with Congress. It is the wrong done to the citizens of our district. Congress have no authority to punish that wrong. They can only take cognizance of it in vindication of their member.

TO JAMES MADISON.

Philadelphia, January 3, 1798.

DEAR SIR,

Your favour of the 25th came to hand yesterday. I shall observe your directions with respect to the post day. I have spoken with the Deputy Postmaster General on the subject of our Fredericksburg post. He never knew before that the Fredericksburg printer had taken the contract of the rider. He will be glad, if either in your neighbourhood or ours, some good person will undertake to ride from April next. The price given this year is three hundred and thirty dollars, and it will go to the lowest bidder who can be depended on. I understand (though not from him) that Wyatt will be changed; and in general they determine that printers shall not be postmasters or riders.

Our weather has been here, as with you, cold and dry. The thermometer has been at eight degrees. The river closed here the first week of December, which has caught a vast number of vessels destined for departure. It deadens also the demand for wheat. The price at New York is one dollar seventy-five cents, and of flour eight dollars fifty cents to nine dollars: tobacco eleven to twelve dollars; there need be no doubt of greater prices. The bankruptcies here continue; the prison is full of the most reputable merchants, and it is understood that the scene has not yet got to its height. Prices have fallen greatly. The market is cheaper than it has been for four years. Labour and house rent much reduced. Dry goods somewhat. It is expected that they will fall till they get nearly to old prices. Money scarce beyond all example.

The Representatives have rejected the President's proposition for enabling him to prorogue them. A law has passed putting off the stamp act till July next. The land tax will not be brought on. The Secretary of the Treasury says he has money enough. No doubt these two measures may be taken up more boldly at the next session, when most of the elections will be over. It is imagined the stamp act will be extended or attempted on every possible object. A bill has passed the Representatives to suspend for three years the law arresting the currency of foreign coins. The Senate propose an amendment, continuing the currency of the foreign gold only. Very possibly the bill may be lost. The object of opposing the bill is to make the French crowns a subject of speculation (for it seems they fell, on the President's proclamation, to a dollar in most of the States), and to force bank paper (for want of other medium) through all the States generally. Tench Coxe is displaced, and no reason even spoken of. It is therefore understood to be for his activity during the late election. It is said, that the people from hence, quite to the eastern extremity, are beginning to be sensible, that their government has been playing a foul game. In Vermont, Chipman was elected Senator by a majority of one, against the republican candidate. In Maryland, Loyd by a majority of one, against Winder the republican candidate. Tichenor chosen Governor of Vermont by a very small majority. The House of Representatives of this State has become republican by a firm majority of six. Two counties, it is said, have come over generally to the republican side. It is thought the republicans have also a majority in the New York House of Representatives. Hard elections are expected there between Jay and Livingston, and here between Ross and M'Kean. In the House of Representatives of Congress, the republican interest has at present, on strong questions, a majority of about half a dozen, as is conjectured, and there are as many of their firmest men absent; not one of the anti-republicans is from his post. The bill for permitting private vessels to arm, was put off to the first Monday in February, by a sudden vote, and a majority of five. It was considered as an index of their dispositions on that subject, though some voted both ways on other ground. It is most evident, that the anti-republicans wish to get rid of Blount's impeachment. Many metaphysical niceties are handing about in conversation, to shew that it cannot be sustained. To shew the contrary, it is evident must be the task of the republicans, or of nobody. Monroe's book is considered as masterly by all those who are not opposed in principle, and it is deemed unanswerable. An answer, however, is commenced in Fenno's paper of yesterday, under the signature of Scipio. The real author not yet conjectured. As I take these papers merely to preserve them, I will forward them to you, as you can easily return them to me on my arrival at home; for I shall not see you on my way, as I mean to go by the Eastern Shore and Petersburg.

Perhaps the paragraphs in some of these abominable papers may draw from you now and then a squib. A pamphlet of Fauchet's appeared yesterday. I send you a copy under another cover. A handbill has just arrived here from New York, where they learn, from a vessel which left Havre about the 9th of November, that the Emperor had signed the definitive articles, given up Mantua, evacuated Mentz, agreed to give passage to the French troops to Hanover, and that the Portuguese ambassador had been ordered to quit Paris, on account of the seizure of fort St. Julian's by the English, supposed with the connivance of Portugal. Though this is ordinary mercantile news, it looks like truth. The latest official intelligence from Paris, is from Talleyrand to the French consul here (Lastombe), dated September the 28th, saying that our Envoys were arrived, and would find every disposition on the part of his government to accommodate with us.

My affectionate respects to Mrs. Madison; to yourself, health and friendship. Adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, January 25, 1798.

DEAR SIR,

I wrote you last on the 2nd instant, on which day I received yours of December the 25th. I have not resumed my pen, because there has really been nothing worth writing about, but what you would see in the newspapers. There is, as yet, no certainty what will be the aspect of our affairs with France. Either the Envoys have not written to the government, or their communications are hushed up. This last is suspected because so many arrivals have happened from Bordeaux and Havre. The letters from American correspondents in France have been always to Boston: and the experience we had last summer of their adroitness in counterfeiting this kind of intelligence, inspires doubts as to their late paragraphs. A letter is certainly received here by an individual, from Talleyrand, which says our Envoys have been heard, that their pretensions are high, that possibly no arrangement may take place, but that there will be no declaration of war by France. It is said that Bournonville has written that he has hopes of an accommodation (three audiences having then, November, been had), and to be himself a member of a new diplomatic mission to this country. On the whole, I am entirely suspended as to what is to be expected. The Representatives have been several days in debate on the bill for foreign intercourse. A motion has been made to reduce it to what it was before the extension of 1796. The debate will probably have good effects, in several ways, on the public mind, but the advocates for the reformation expect to lose the question. They find themselves deceived in the expectation entertained in the beginning of the session, that they had a majority. They now think the majority is on the other side, by two or three, and there are moreover two or three of them absent. Blount's affair is to come on next. In the mean time, the Senate have before them a bill for regulating proceedings in impeachment. This will be made the occasion of offering a clause for the introduction of juries into these trials. (Compare the paragraph in the constitution which says, that all crimes, *except in cases of impeachment*, shall be by jury, with the eighth amendment, which says, that in *all* criminal prosecutions, the trial shall be by jury.) There is no expectation of carrying this; because the division in the Senate is of two to one, but it will draw forth the principles of the parties, and concur in accumulating proofs on which side all the sound principles are to be found.

Very acrimonious altercations are going on between the Spanish minister and the executive, and at the Natchez something worse than mere altercation. If hostilities have not begun there, it has not been for want of endeavours to bring them on, by our agents. Marshall, of Kentucky, this day proposed in Senate some amendments to the constitution. They were barely read just as we were adjourning, and not a word of explanation given. As far as I caught them in my ear, they went only to modifications of the elections of President and Vice President, by authorizing voters to add the office for which they name each, and giving to the Senate the decision of a disputed election of President, and to the Representatives that of Vice President. But I am apprehensive I caught the thing imperfectly, and probably incorrectly. Perhaps this occasion may be taken of proposing again the Virginia amendments, as also to condemn elections by the legislatures, themselves, to transfer the power of trying impeachments from the Senate to some better constituted court, &c. &c.

Good tobacco here is thirteen dollars, flour eight dollars and fifty cents, wheat one dollar and fifty cents, but dull, because only the millers buy. The river, however, is nearly open, and the merchants will now come to market, and give a spur to the price. But the competition will not be what it has been. Bankruptcies thicken, and the height of them has by no means yet come on. It is thought this winter will be very trying.

Friendly salutations to Mrs. Madison.

Adieu affectionately.

TH. JEFFERSON.

January 28. I inclose Marshall's propositions. They have been this day postponed to the 1st of June, chiefly by the vote of the anti-republicans, under the acknowledged fear that other amendments would be also proposed, and that this is not the time for agitating the public mind. T. J.

TO JAMES MADISON.

Philadelphia, February 8, 1798.

DEAR SIR,

I wrote you last on the 25th ultimo; since which yours of the 21st has been received. Bache had put five hundred copies of Monroe's book on board a vessel, which was stopped by the early and unexpected freezing of the river. He tried in vain to get them carried by fifties at a time, by the stage. The river is now open here, the vessels are falling down, and if they can get through the ice below, the one with Bache's packet will soon be at Richmond. It is surmised here that Scipio is written by C. Lee. Articles of impeachment were yesterday given in against Blount. But many great preliminary questions will arise. Must not a *formal law* settle the oath of the Senators, form of pleadings, process against person or goods, &c.? May he not appear by attorney? Must he not be tried by a jury? Is a Senator impeachable? Is an ex-Senator impeachable? You will readily conceive that these questions, to be settled by twenty-nine lawyers, are not likely to come to speedy issue. A very disagreeable question of privilege has suspended all other proceedings for some days. You will see this in the newspapers. The question of arming vessels came on, on Monday last; that morning, the President sent in an inflammatory message about a vessel taken and burnt by a French privateer, near Charleston. Of this he had been possessed some time, and it had been through all the newspapers. It seemed to come in now *à propos* for spurring on the disposition to arm. However, the question has not come on. In the mean time, the general spirit, even of the merchants, is becoming adverse to it. In New Hampshire and Rhode Island they are unanimously against arming; so in Baltimore. This place is becoming more so. Boston divided and desponding. I know nothing of New York; but I think there is no danger of the question being carried, unless something favourable to it is received from our Envoys. From them we hear nothing. Yet it seems reasonably believed that the executive has heard, and that it is something which would not promote their views of arming; for every action of theirs shews they are panting to come to blows. Giles has arrived.

My friendly salutations to Mrs. Madison.
Adieu affectionately.
TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, February 15, 1798.

DEAR SIR,

I wrote you last on the 8th. We have still not a word from our Envoys. This long silence (if they have been silent) proves things are not going on very roughly. If they have not been silent, it proves their information, if made public, would check the disposition to arm. I had flattered myself, from the progress of the public sentiment against arming, that the same progress had taken place in the legislature; but I am assured by those who have better opportunities of forming a good judgment, that if the question against arming is carried at all, it will not be by more than a majority of two: and particularly, that there will not be more than four votes against it from the five eastern states, or five votes at the utmost. You will have perceived that Dayton has gone over completely. He expects to be appointed Secretary of war in the room of M'Henry, who it is said will retire. He has been told, as report goes, that they would not have confidence enough in him to appoint him. The desire of inspiring them with more, seems the only way to account for the éclât which he chooses to give to his conversion. You will have seen the disgusting proceedings in the case of Lyon: if they would have accepted even of a commitment to the serjeant it might have been had. But to get rid of his vote was the most material object. These proceedings must degrade the General Government, and lead the people to lean more on their State governments, which have been sunk under the early popularity of the former. This day, the question of the jury in cases of impeachment comes on. There is no doubt how it will go. The general division of the Senate is twenty-two and ten; and under the probable prospect of what it will for ever be, I see nothing in the mode of proceeding by impeachment but the most formidable weapon for the purposes of dominant faction that ever was contrived. It would be the most effectual one of getting rid of any man whom they consider as dangerous to their views, and I do not know that we could count on one third in an emergency. All depends then on the House of Representatives, who are the impeachers: and there the majorities are of one, two, or three only; and these sometimes one way and sometimes another: in a question of pure party they have the majority, and we do not know what circumstances may turn up to increase that majority temporarily, if not permanently. I know of no solid purpose of punishment which the courts of law are not equal to, and history shews, that in England, impeachment has been an engine more of passion than justice. A great ball is to be given here on the 22nd, and in other great towns of the Union. This is, at least, very indelicate, and probably excites uneasy sensations in some. I see in it, however, this useful deduction, that the birth days which have been kept, have been, not those of the President, but of the General. I inclose, with the newspapers, the two acts of parliament passed on the subject of our commerce, which are interesting. The merchants here say, that the effect of the countervailing tonnage on American vessels will throw them completely out of employ as soon as there is peace. The eastern members say nothing but among themselves. But it is said that it is working like gravel in their stomachs. Our only comfort is, that they have brought it on themselves.

My respectful salutations to Mrs. Madison; and to yourself, friendship and adieu.

TH. JEFFERSON.

TO GENERAL GATES.

Philadelphia, February 21, 1798.

DEAR GENERAL,

I received duly your welcome favour of the 15th, and had an opportunity of immediately delivering the one it enclosed to General Kosciusko. I see him often, and with great pleasure mixed with commiseration. He is as pure a son of liberty as I have ever known, and of that liberty which is to go to all, and not to the few or the rich alone. We are here under great anxiety to hear from our Envoys. * * * *

* * * I agree with you, that some of our merchants have been milking the cow: yet the great mass of them have become deranged; they are daily falling down by bankruptcies, and on the whole, the condition of our commerce far less firm and really prosperous, than it would have been by the regular operations and steady advances which a state of peace would have occasioned. Were a war to take place, and throw our agriculture into equal convulsions with our commerce, our business would be done at both ends. But this, I hope, will not be. The good news from the Natchez has cut off the fear of a breach in that quarter, where a crisis was brought on which has astonished every one. How this mighty duel is to end between Great Britain and France, is a momentous question. The sea which divides them makes it a game of chance; but it is narrow, and all the chances are not on one side. Should they make peace, still our fate is problematical.

The countervailing acts of Great Britain, now laid before Congress, threaten, in the opinion of merchants, the entire loss of our navigation to England. It makes a difference, from the present state of things, of five hundred guineas on a vessel of three hundred and fifty tons. If, as the newspapers have told us, France has renewed her *Arrêt* of 1789, laying a duty of seven livres a hundred on all tobacco brought in foreign bottoms (even our own), and should extend it to rice and other commodites, we are done, as navigators, to that country also. In fact, I apprehend that those two great nations will think it their interest not to permit us to be navigators. France had thought otherwise, and had shewn an equal desire to encourage our navigation as her own, while she hoped its weight would at least not be thrown into the scale of her enemies. She sees now that that is not to be relied on, and will probably use her own means, and those of the nations under her influence, to exclude us from the ocean. How far it may lessen our happiness to be rendered merely agricultural, how far that state is more friendly to principles of virtue and liberty, are questions yet to be solved. Kosciusko has been disappointed by the sudden peace between France and Austria. A ray of hope seemed to gleam on his mind for a moment, that the extension of the revolutionary spirit through Italy and Germany, might so have occupied the remnants of monarchy there, as that his country might have risen again. I sincerely rejoice to find that you preserve your health so well. That you may so go on to the end of the chapter, and that it may be a long one, I sincerely pray. Make my friendly salutations acceptable to Mrs. Gates, and accept yourself assurances of the great and constant esteem and respect of,

Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, February 22, 1798.

DEAR SIR,

Yours of the 12th is received. I wrote you last on the 15th, but the letter getting misplaced, will only go by this post. We still hear nothing from our Envoys. Whether the executive hear, we know not. But if war were to be apprehended, it is impossible our Envoys should not find means of putting us on our guard, or that the executive should hold back their information. No news, therefore, is good news. The countervailing act, which I sent you by the last post, will, confessedly, put American bottoms out of employ in our trade with Great Britain. So say well informed merchants. Indeed, it seems probable, when we consider that, hitherto, with the advantage of our foreign tonnage, our vessels could only share with the British; and the countervailing duties will, it is said, make a difference of five hundred guineas to our prejudice on a ship of three hundred and fifty tons. Still the eastern men say nothing. Every appearance and consideration render it probable that, on the restoration of peace, both France and Britain will consider it their interest to exclude us from the ocean, by such peaceable means as are in their power. Should this take place, perhaps it may be thought just and politic to give to our *native capitalists* the monopoly of our internal commerce. This may at once relieve us from the dangers of wars abroad and British thraldom at home. The news from the Natchez, of the delivery of the posts, which you will see in the papers, is to be relied on. We have escaped a dangerous crisis there. The great contest between Israel and Morgan, of which you will see the papers full, is to be decided this day. It is snowing fast at this time, and the most sloppy walking I ever saw. This will be to the disadvantage of the party which has the most invalids. Whether the event will be known this evening, I am uncertain. I rather presume not, and therefore, that you will not learn it till next post.

You will see in the papers, the ground on which the introduction of the jury into the trial by impeachment was advocated by Mr. Tazewell, and the fate of the question. Reader's motion, which I inclosed you, will probably be amended and established, so as to declare a Senator unimpeachable, absolutely; and yesterday an opinion was declared, that not only officers of the State governments, but every private citizen of the United States, are impeachable. Whether they will think this the time to make the declaration, I know not; but if they bring it on, I think there will be not more than two votes north of the Potomac against the universality of the impeaching power. The system of the Senate may be inferred from their transactions heretofore, and from the following declaration made to me personally by their oracle.* 'No republic can ever be of any duration without a Senate, and a Senate deeply and strongly rooted, strong enough to bear up against all popular storms and passions. The only fault in the constitution of our Senate is, that their term of office is not durable enough. Hitherto they have done well, but probably they will be forced to give way in time.' I suppose their having done well hitherto, alluded to the stand they made on the British treaty. This declaration may be considered as their text: that they consider themselves as the bulwarks of the government, and will be rendering that the more secure, in proportion as they can assume greater powers. The foreign intercourse bill is set for to-day: but the parties are so equal on that in the House of Representatives, that they seem mutually to fear the encounter.

My friendly salutations to Mrs. Madison and the family. To yourself, friendly adieus.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, March 2, 1798.

DEAR SIR,

I wrote to you last on the 22nd ultimo; since which I have received yours without date, but probably of April the 18th or 19th. An arrival to the eastward brings us some news, which you will see detailed in the papers. The new partition of Europe is sketched, but how far authentic we know not. It has some probability in its favour. The French appear busy in their preparations for the invasion of England; nor is there any appearance of movements on the part of Russia and Prussia which might divert them from it.

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* Here, in the margin of the copy filed, is written by the author, in pencil, 'Mr. Adams.'

The late birth-night has certainly sown tares among the exclusive federalists. It has winnowed the grain from the chaff. The sincerely Adamites did not go. The Washingtonians went religiously, and took the secession of the others in high dudgeon. The one sect threatens to desert the levees, the other the parties. The whigs went in number, to encourage the idea that the birth-nights hitherto kept had been for the General and not the President, and of course that time would bring an end to them. Goodhue, Tracy, Sedgewick, &c. did not attend; but the three Secretaries and Attorney General did.

We were surprised, the last week, with a symptom of a disposition to repeal the stamp act. Petitions for that purpose had come from Rhode Island and Virginia, and had been committed to rest with the Ways and Means. Mr. Harper, the chairman, in order to enter on the law for amending it, observed it would be necessary first to put the petitions for repeal out of the way, and moved an immediate decision on this. The Rhode Islanders begged and prayed for a postponement; that not knowing that this was the next question to be called up, they were not at all prepared: but Harper would shew no mercy; not a moment's delay would be allowed. It was taken up, and, on question without debate, determined in favour of the petitions by a majority of ten. Astonished and confounded, when an order to bring in a bill for revisal was named, they began in turn to beg for time; two weeks, one week, three days, one day; not a moment would be yielded. They made three attempts for adjournment. But the majority appeared to grow. It was decided, by a majority of sixteen, that the bill should be brought in. It was brought in the next day, and on the day after passed, and was sent up to the Senate, who instantly sent it back, rejected by a vote of fifteen to twelve. Rhode Island and New Hampshire voted for the repeal in Senate. The act will therefore go into operation July the 1st, but probably without amendments. However, I am persuaded it will be short lived. It has already excited great commotion in Vermont, and grumblings in Connecticut. But they are so priest ridden, that nothing is to be expected from them, but the most bigoted passive obedience.

No news yet from our commissioners; but their silence is admitted to augur peace. There is no talk yet of the time of adjourning, though it is admitted we have nothing to do, but what could be done in a fortnight or three weeks. When the spring opens, and we hear from our commissioners, we shall probably draw pretty rapidly to a conclusion. A friend of mine here wishes to get a copy of Mazzei's Recherches Historiques et Politiques. Where are they?

Salutations and adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, March 15, 1798.

DEAR SIR,

I wrote you last on the 2nd instant. Yours of the 4th is now at hand. The public papers will give you the news of Europe. The French decree, making the vessel friendly or enemy, according to the hands by which the cargo was manufactured, has produced a great sensation among the merchants here. Its operation is not yet perhaps well understood; but probably it will put our shipping out of competition, because British bottoms, which can come under convoy, will alone be trusted with return cargoes. Ours, losing this benefit, would need a higher freight out, in which, therefore, they will be underbid by the British. They must then retire from the competition. Some, no doubt, will try other channels of commerce, and return cargoes from other countries. This effect would be salutary. A very well informed merchant, too (a Scotchman, entirely in the English trade), told me, he thought it would have another good effect, by checking and withdrawing our extensive commerce and navigation (the fruit of our natural position) within those bounds to which peace must necessarily bring them—that this being done by degrees, will probably prevent those numerous failures produced generally by a peace coming on suddenly. Notwithstanding this decree, the sentiments of the merchants become more and more cooled and settled down against arming. Yet it is believed the Representatives do not cool; and though we think the question against arming will be carried, yet probably by a majority of only four or five. Their plan is, to have convoys furnished for our vessels going to Europe, and smaller vessels for the coasting defence. On this condition, they will agree to fortify southern harbours and build some gallies. It has been concluded among them,

of ministry. The President has nominated John Q
Adams Commissioner Plenipotentiary to renew the treaty
Sweden. Tazewell made a great stand against it, o
general ground that we should let our treaties drop an
main without any. He could only get eight votes ag
twenty. A trial will be made to-day in another form, w
he thinks will give ten or eleven against sixteen or seve
declaring the renewal inexpedient. In this case, notwiths
ing the nomination has been confirmed, it is supposed the
sident would perhaps not act, under it, on the probability
more than the third would be against the ratification.
lieve, however, that he would act, and that a third coul
be got to oppose the ratification. It is acknowledged we
nothing to do but to decide the question about arming.
not a word is said about adjourning; and some even ta
continuing the session permanently; others talk of July
August. An effort, however, will soon be made for an
adjournment.

My friendly salutations to Mrs. Madison; to yourse
affectionate adieu.

Th. Jeffers

TO JAMES MADISON.

Philadelphia, March 21, 1

Dear Sir,

I wrote you last on the 15th: since that, yours of the
has been received. Since that, too, a great change has t
place in the appearance of our political atmosphere.
merchants, as before, continue, a respectable part of ther
wish to avoid arming. The French decree operated on
as a sedative, producing more alarm than resentment: o
Representatives differently. It excited indignation high
the war party, though I do not know that it had added
new friends to that side of the question. We still hop
majority of about four: but the insane message which

will see in the public papers has had great effect. Exultation on the one side, and a certainty of victory; while the other is petrified with astonishment. Our Evans, though his soul is wrapt up in the sentiments of this message, yet afraid to give a vote openly for it, is going off to-morrow, as is said. Those who count, say there are still two members of the other side who will come over to that of peace. If so, the members will be, for war measures fifty-two, against them fifty-three; if all are present except Evans. The question is, what is to be attempted, supposing we have a majority? I suggest two things: 1. As the President declares he has withdrawn the executive prohibition to arm, that Congress should pass a legislative one. If that should fail in the Senate, it would heap coals of fire on their heads. 2. As to do nothing and to gain time is every thing with us, I propose that they shall come to a resolution of adjournment, 'in order to go home and consult their constituents on the great crisis of American affairs now existing.' Besides gaining time enough by this to allow the descent on England to have its effect here, as well as there, it will be a means of exciting the whole body of the people from the state of inattention in which they are; it will require every member to call for the sense of his district by petition or instruction; it will shew the people with which side of the House their safety as well as their rights rest, by shewing them which is for war and which for peace; and their representatives will return here invigorated by the avowed support of the American people. I do not know, however, whether this will be approved, as there has been little consultation on the subject. We see a new instance of the inefficiency of constitutional guards. We had relied with great security on that provision which requires two thirds of the legislature to declare war: but this is completely eluded by a majority's taking such measures as will be sure to produce war. I wrote you in my last, that an attempt was to be made on that day in Senate, to declare the inexpediency of renewing our treaties: but the measure is put off, under the hope of its being attempted under better auspices. To return to the subject of war, it is quite impossible, when we consider all the existing circumstances, to find any reason in its favour resulting from views either of interest or honour, and plausible enough to impose even on the weakest mind; and especially, when it would be undertaken by a majority of one or two only. Whatever, then, be our stock of charity or liberality, we must resort to other views; and those so well known to have been entertained at Annapolis, and afterwards at the grand convention, by a particular set of men, present themselves as those alone which can account for so extraordinary a degree of impetuosity. Perhaps, instead of what was then in contemplation, a separation of the Union, which has been so much the topic to the eastward of late, may be the thing aimed at. I have written so far, two days before the departure of the post. Should any thing more occur to-day or to-morrow, it shall be added.

Adieu affectionately.
TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, March 29, 1798.

DEAR SIR,

I wrote you last on the 21st. Yours of the 12th, therein acknowledged, is the last received. The measure I suggested in mine, of adjourning for consultation with their constituents, was not brought forward; but on Tuesday three resolutions were moved, which you will see in the public papers. They were offered in committee, to prevent their being suppressed by the previous question, and in the committee on the state of the Union, to put it out of their power, by the rising of the committee and not sitting again, to get rid of them. They were taken by surprise, not expecting to be called to vote on such a proposition as 'that it is inexpedient to resort to war against the French Republic.' After spending the first day in seeking on every side some hole to get out at, like an animal first put into a cage, they gave up their resource. Yesterday they came forward boldly, and openly combated the proposition. Mr. Harper and Mr. Pinckney pronounced bitter philippics against France, selecting such circumstances and aggravations as to give the worst picture they could present. The latter, on this, as in the affair of Lyon and Griswold, went far beyond that moderation he has on other occasions recommended. We know not how it will go. Some think the resolution will be lost, some that it will be carried; but neither way by a majority of more than one or two. The decision of the executive, of two thirds of the Senate, and half the House of Representatives, is too much for the other half of that House. We therefore fear it will be borne down, and are under the most gloomy apprehensions. In fact, the question of war and peace depends now on a toss of cross and pile. If we could but gain this season, we should be saved. The affairs of Europe would of themselves save us. Besides this, there can be no doubt that a revolution of opinion in Massachusetts and Connecticut is working. Two whig presses have been set up in each of those States. There has been, for some days, a rumour that a treaty of alliance, offensive and defensive, with Great Britain, has arrived. Some circumstances have occasioned it to be listened to; to wit, the arrival of Mr. King's Secretary, which is affirmed; the departure of Mr. Liston's secretary, which I know is to take place on Wednesday next; the high tone of the executive measures at the last and present session, calculated to raise things to the unison of such a compact, and supported so desperately in both Houses in opposition to the pacific wishes of the people, and at the risk of their approbation at the ensuing election. Langdon, yesterday, in debate, mentioned this current report. Tracey, in reply, declared he knew of no such thing, did not believe it, nor would be its advocate.

An attempt has been made to get the Quakers to come forward with a petition, to aid with the weight of their body the feeble band of peace. They have, with some effort, got a petition signed by a few of their society: the main body of their society refuse it. M'Lay's peace motion, in the Assembly of Pennsylvania, was rejected with an unanimity of the Quaker vote; and it seems to be well understood, that their attachment to England is stronger than to their principles or their country. The revolution war was a first proof of this. Mr. White, from the federal city, is here, soliciting money for the buildings at Washington. A bill for two hundred thousand dollars has passed the House of Representatives, and is before the Senate, where its fate is entirely uncertain. He has become perfectly satisfied that Mr. Adams is radically against the government's being there. Goodhue (his oracle) openly said in committee, in presence of White, that he knew the government was obliged to go there, but they would not be obliged to stay there. Mr. Adams said to White, that it would be better that the President should rent a common house there, to live in; that no President would live in the one now building. This harmonizes with Goodhue's idea of a short residence. I wrote this in the morning, but need not part with it till night. If any thing occurs in the day it shall be added.

Adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, April 5, 1798.

Dear Sir,

I wrote you last on the 29th ultimo; since which I have no letter from you. These acknowledgments regularly made and attended to, will shew whether any of my letters are intercepted, and the impression of my seal on wax (which shall be constant hereafter) will discover whether they are opened by the way. The nature of some of my communications furnishes ground of inquietude for their safe conveyance. The bill for the federal buildings labours hard in Senate, though, to lessen opposition, the Maryland Senator himself proposed to reduce the two hundred thousand dollars to one-third of that sum. Sedgewick and Hillhouse violently oppose it. I conjecture that the votes will be either thirteen for and fifteen against it, or fourteen and fourteen. Every member declares he means to go there; but though charged with an intention to come away again, not one of them disavow it. This will engender incurable distrust. The debate on Mr. Sprigg's resolutions has been interrupted by a motion to call for papers. This was carried by a great majority. In this case, there appeared a separate squad, to wit, the Pinckney interest, which is a distinct thing, and will be seen sometimes to lurch the President. It is in truth the Hamilton party, whereof Pinckney is only made the stalking horse. The papers have been sent in and read, and it is now under debate in both Houses, whether they shall be published. I write in the morning, and if determined in the course of the day in favour of publication, I will add in the evening a general idea of their character. Private letters from France, by a late vessel, which sailed from Havre, February the 5th, assure us that France, classing us in her measures with the Swedes and Danes, has no more notion of declaring war against us than them. You will see a letter in Bache's paper of yesterday, which came addressed to me. Still the fate of Sprigg's resolutions seems in perfect equilibrio. You will see in Fenno, two numbers of a paper signed Marcellus. They promise much mischief, and are ascribed, without any difference of opinion, to Hamilton. You must, my dear Sir, take up your pen against this champion. You know the ingenuity of his talents; and there is not a person but yourself who can foil him. For heaven's sake then, take up your pen, and do not desert the public cause altogether.

Thursday evening. The Senate have, to-day, voted the publication of the communications from our Envoys. The House of Representatives decided against the publication by a majority of seventy-five to twenty-four. The Senate adjourned, over to-morrow (good Friday), to Saturday morning: but as the papers cannot be printed within that time, perhaps the vote of the House of Representatives may induce the Senate to reconsider theirs. For this reason, I think it my duty to be silent on them. Adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, April 6, 1798.

DEAR SIR,

So much of the communications from our Envoys has got abroad, and so partially, that there can now be no ground for reconsideration with the Senate. I may, therefore, consistently with duty, do what every member of the body is doing. Still, I would rather you would use the communication with reserve till you see the whole papers. The first impressions from them are very disagreeable and confused. Reflection, however, and analysis resolve them into this. Mr. Adams' speech to Congress in May is deemed such a national affront, that no explanation on other topics can be entered on till that, as a preliminary, is wiped away by humiliating disavowals or acknowledgments. This working hard with our Envoys, and indeed seeming impracticable for want of that sort of authority, submission to a heavy amendment (upwards of a million sterling) was, at an after meeting, suggested as an alternative, which might be admitted if proposed by us. These overtures had been through informal agents; and both the alternatives bringing the Envoys to their *ne plus*, they resolve to have no more communication through inofficial characters, but to address a letter directly to the government, to bring forward their pretensions. This letter had not yet, however, been prepared. There were interwoven with these overtures some base propositions on the part of Talleyrand, through one of his agents, to sell his interest and influence with the Directory towards soothing difficulties with them, in consideration of a large sum (fifty thousand pounds sterling); and the argu-

ments to which his agent resorted to induce complianc
this demand, were very unworthy of a great nation (
they be imputed to them), and calculated to excite di
and indignation in Americans generally, and alienation
republicans particularly, whom they so far mistake, as t
sume an attachment to France, and hatred to the f
party, and not the love of their country, to be thei
passion. No difficulty was expressed towards an adjus
of all differences and misunderstandings, or even ultima
payment for spoliations, if the insult from our executive
be first wiped away. Observe, that I state all this from
a single hearing of the papers, and therefore it may
rigorously correct. The little slanderous imputation
mentioned, has been the bait which hurried the opposite
into this publication. The first impressions with the
will be disagreeable, but the last and permanent one w
that the speech in May is now the only obstacle to acco
dation, and the real cause of war, if war takes place.
how much will be added to this by the speech of Nove
is yet to be learned. It is evident, however, on reflectio
these papers do not offer one motive the more for our
to war. Yet such is their effect on the minds of wa
characters, that I fear that, to wipe off the imputation of
French partisans, they will go over to the war measu
furiously pushed by the other party. It seems, indeed
they were afraid they should not be able to get into w
Great Britain shall be blown up, and the prudence
countrymen, from that circumstance, have influence enou
prevent it. The most artful misrepresentations of the co
of these papers were published yesterday, and produce
a shock, in the republican mind, as had never been seen
our independence. We are to dread the effects of this d
till their fuller information. Adieu.

TH. JEFFERS

TO JAMES MADISON.

Philadelphia, April 12,

DEAR SIR,

I wrote you two letters on the 5th and 6th instant;
which I have received yours of the 2nd. I send you
separate package, the instructions to our Envoys and
communications. You will find that my representati

their contents from memory, was substantially just. The public mind appears still in a state of astonishment. There never was a moment in which the aid of an able pen was so important to place things in their just attitude. On this depend the inchoate movement in the eastern mind, and the fate of the elections in that quarter, now beginning and to continue through the summer. I would not propose to you such a task on any ordinary occasion. But be assured that a well digested analysis of these papers would now decide the future turn of things, which are at this moment on the creen. The merchants here are meeting under the auspices of Fitzsimmons, to address the President and approve his propositions. Nothing will be spared on that side. Sprigg's first resolution against the expediency of war, proper at the time it was moved, is now postponed as improper, because to declare that, after we have understood it has been proposed to us to try peace, would imply an acquiescence under that proposition. All, therefore, which the advocates of peace can now attempt, is to prevent war measures *externally*, consenting to every rational measure of *internal* defence and preparation. Great expenses will be incurred; and it will be left to those whose measures render them necessary, to provide to meet them. They already talk of stopping all payments of interest, and of a land tax. These will probably not be opposed. The only question will be, how to modify the land tax. On this there may be a great diversity of sentiment. One party will want to make it a new source of patronage and expense. If this business is taken up, it will lengthen our session. We had pretty generally, till now, fixed on the beginning of May for adjournment. I shall return by my usual routes, and not by the Eastern Shore, on account of the advance of the season. Friendly salutations to Mrs. Madison and yourself. Adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, April 26, 1798.

DEAR SIR,

* * * * * *

The bill for the naval armament (twelve vessels) passed by a majority of about four to three in the House of Representatives: all restrictions on the objects for which the vessels should be used were struck out. The bill for establishing a department of Secretary of the Navy was tried yesterday, on its passage to the third reading, and prevailed by forty-seven against forty-one. It will be read the third time to-day. The provisional army of twenty thousand men will meet some difficulty. It would surely be rejected if our members were all here. Giles, Clopton, Cabell, and Nicholas have gone, and Clay goes to-morrow. He received here news of the death of his wife. Parker has completely gone over to the war party. In this state of things they will carry what they please. One of the war party, in a fit of unguarded passion, declared some time ago they would pass a citizen bill, an alien bill, and a sedition bill: accordingly, some days ago, Coit laid a motion on the table of the House of Representatives for modifying the citizen law. Their threats pointed at Gallatin, and it is believed they will endeavour to reach him by this bill. Yesterday Mr. Hillhouse laid on the table of the Senate, a motion for giving power to send away suspected aliens. This is understood to be meant for Volney and Collot. But it will not stop there when it gets into a course of execution. There is now only wanting, to accomplish the whole declaration before mentioned, a sedition bill, which we shall certainly soon see proposed. The object of that, is the suppression of the whig presses. Bache's has been particularly named. That paper and also Carey's totter, for want of subscriptions. We should really exert ourselves to procure them, for if those papers fall, republicanism will be entirely brow beaten. Carey's paper comes out three times a week, at five dollars. The meeting of the people which was called at New York, did nothing. It was found that the majority would be against the address. They therefore chose to circulate it individually. The committee of Ways and Means have voted a land tax. An additional tax on salt will certainly be proposed in the House, and probably prevail to some degree. The stoppage of interest on the public debt will also, perhaps, be proposed, but not with effect. In the mean time, that paper cannot be sold. Hamilton is coming on as Senator from New York. There have been so much contrivance and combination in that, as to shew there is some great object in hand. Troup, the district judge of New York, resigns towards the close of the session of their Assembly. The appointment of Mr. Hobart, then Senator, to succeed Troup, is not made by the President till after the Assembly had risen. Otherwise, they would have chosen the Senator in place of Hobart. Jay then names Hamilton Senator, but not till a day or two before his own election as Governor was to come on, lest the unpopularity of the nomination should be in time to effect his own election. We shall see in what all this is to end; but surely in something. The popular movement in the eastern States is checked, as we expected, and war addresses are showering in from New Jersey and the great trading towns. However, we still trust that a nearer view of war and a land tax will oblige the great mass of the people to attend. At present, the war-hawks talk of septembrizing, deportation, and the examples for quelling sedition set by the French executive. All the firmness of the human mind is now in a state of requisition.

Salutations to Mrs. Madison; and to yourself, friendship and adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, May 3, 1798.

DEAR SIR,

I wrote you last on the 26th; since which yours of the 22nd of April has been received, acknowledging mine of the 12th; so that all appear to have been received to that date. The spirit kindled up in the towns is wonderful. These and New Jersey are pouring in their addresses, offering life and fortune. Even these addresses are not the worst things. For indiscreet declarations and expressions of passion may be pardoned to a multitude acting from the impulse of the moment. But we cannot expect a foreign nation to shew that apathy to the answers of the President, which are more thrasonic than the addresses. Whatever chance for peace might have been left us after the publication of the despatches, is completely lost by these answers. Nor is it France alone, but his own fellow citizens, against whom his threats are uttered. In Fenno, of yesterday, you will see one, wherein he says to the address from Newark, 'the delusions and misrepresentations which have misled so many citizens, must be discountenanced by authority as well as by the citizens at large;' evidently alluding to those letters from the Representatives to their constituents, which they have been in the habit of seeking after and publishing: while those sent by the tory part of the House to their constituents, are ten times more numerous, and replete with the most atrocious falsehoods and calumnies. What new law they will propose on this subject, has not yet leaked out. The citizen bill sleeps. The alien bill, proposed by the Senate, has not yet been brought in. That proposed by the House of Representatives has been so moderated, that it will not answer the passionate purposes of the war gentlemen. Whether, therefore, the Senate will push their bolder plan, I know not. The provisional army does not go down so smoothly in the House as it did in the Senate. They are whitling away some of its choice ingredients; particularly that of transferring their own constitutional discretion over the raising of armies to the President. A committee of the Representatives have struck out his discretion, and hang the raising of the men on the contingencies of invasion, insurrection, or declaration of war. Were all our members here, the bill would not pass; but it will, probably, as the House now is. Its expense is differently estimated, from five to eight millions of dollars a year. Their purposes before voted, require two millions above all the other taxes, which, therefore, are voted to be raised on lands, houses, and slaves. The provisional army will be additional to this. The threatening appearances from the alien bills have so alarmed the French who are among us, that they are going off. A ship, chartered by themselves for this purpose, will sail within about a fortnight for France, with as many as she can carry. Among these I believe will be Volney, who has in truth been the principal object aimed at by the law.

Notwithstanding the unfavourableness of the late impressions, it is believed the New York elections, which are over, will give us two or three republicans more than we now have. But it is supposed Jay is re-elected. It is said Hamilton declines coming to the Senate. He very soon stopped his Marcellus. It was rather the sequel which was feared than what actually appeared. He comes out on a different plan in his Titus Manlius, if that be really his. The appointments to the Mississippi were so abominable that the Senate could not swallow them. They referred them to a committee to inquire into characters, and the President withdrew the nomination.

* * * * * *

As there is nothing material now to be proposed, we generally expect to rise in about three weeks. However, I do not venture to order my horses.

My respectful salutations to Mrs. Madison. To yourself affectionate friendship, and adieu.

TH. JEFFERSON.

P. S. Perhaps the President's expression before quoted, may look to the sedition bill which has been spoken of, and which may be meant to put the printing presses under the *imprimatur* of the executive. Bache is thought a main object of it. Cabot, of Massachusetts, is appointed Secretary of the Navy. T. J.

TO JAMES LEWIS, JUNIOR.

Philadelphia, May 9, 1798.

Dear Sir,

I am much obliged by your friendly letter of the 4th instant. As soon as I saw the first of Mr. Martin's letters, I turned to the newspapers of the day, and found Logan's speech, as translated by a common Indian interpreter. The version I had used, had been made by General Gibson. Finding from Mr. Martin's style, that his object was not merely truth, but to gratify party passions, I never read another of his letters. I determined to do my duty by searching into the truth, and publishing it to the world, whatever it should be. This I shall do at a proper season. I am much indebted to many persons, who, without any acquaintance with me, have voluntarily sent me information on the subject. Party passions are indeed high. No body has more reason to know it than myself. I receive daily bitter proofs of it from people who never saw me, nor know any thing of me but through Porcupine and Fenno. At this moment all the passions are boiling over, and one who keeps himself cool and clear of the contagion, is so far below the point of ordinary conversation, that he finds himself insulated in every society. However, the fever will not last. War, land tax, and stamp tax, are sedatives which must cool its ardour. They will bring on reflection, and that, with information, is all which our countrymen need, to bring themselves and their affairs to rights. They are essentially republicans. They retain unadulterated the principles of '75, and those who are conscious of no change in themselves have nothing to fear in the long run. It is our duty still to endeavour to avoid war: but if it shall actually take place, no matter by whom brought on, we must defend ourselves. If our house be on fire, without inquiring whether it was fired from within or without, we must try to extinguish it. In that, I have no doubt, we shall act as one man. But if we can ward off actual war till the crisis of England is over, I shall hope we may escape it altogether.

I am, with much esteem,
Dear Sir,
Your most obedient humble servant,
Th. Jefferson.

TO JAMES MADISON.

Philadelphia, May 31, 1798.

Dear Sir,

I wrote you last on the 24th; since which yours of the 20th has been received. I must begin by correcting two errors in my last. It was false arithmetic to say, that two measures therein mentioned to have been carried by majorities of eleven, would have failed if the fourteen absentees (wherein a majority of six is ours) had been present. Six coming over from the other side would have turned the scale, and this was the idea floating in my mind, which produced the mistake. The second error was in the version of Mr. Adams' expression, which I stated to you. His real expression was, 'that he would not unbrace a single nerve for any treaty France could offer; such was their entire want of faith, morality,' &c.

The bill from the Senate for capturing French armed vessels found hovering on our coast, was passed in two days by the lower House, without a single alteration; and the Ganges, a twenty gun sloop, fell down the river instantly to go on a cruise. She has since been ordered to New York, to convoy a vessel from that to this port. The alien bill will be ready to-day, probably for its third reading in the Senate. It has been considerably mollified, particularly by a proviso saving the rights of treaties. Still, it is a most detestable thing. I was glad, in yesterday's discussion, to hear it admitted on all hands, that laws of the United States, subsequent to a treaty, control its operation, and that the legislature is the only power which can control a treaty. Both points are sound beyond doubt. This bill will unquestionably pass the House of Representatives; the majority there being very decisive, consolidated, and bold enough to do any thing. I have no doubt, from the hints dropped, they will pass a bill to declare the French treaty void. I question if they will think a declaration of war prudent, as it might alarm, and all its effects are answered by the act authorising captures. A bill is brought in for suspending all communication with the dominions of France, which will no doubt pass. It is suspected they mean to borrow money of individuals in London, on the credit of our land tax, and perhaps the guarantee of Great Britain. The land tax was yesterday debated, and a majority of six struck out the thirteenth section of the classification of houses, and taxed them by a different scale from the lands. Instead of this, is to be proposed a valuation of the houses and lands together. Macon yesterday laid a motion on the table for adjourning on the 14th. Some think they do not mean to adjourn; others, that they wait first the return of the Envoys, for whom it is now avowed the brig Sophia was sent. It is expected she would bring them off about the middle of this month. They may, therefore, be expected here about the second week of July. Whatever be their decision as to adjournment, I think it probable my next letter will convey orders for my horses, and that I shall leave this place from the 20th to the 25th of June: for I have no expectation they will actually adjourn sooner. Volney and a ship load of others sail on Sunday next. Another ship load will go off in about three weeks. It is natural to expect they go under irritations calculated to fan the flame. Not so Volney. He is most thoroughly impressed with the importance of preventing war, whether considered with reference to the interests of the two countries, of the cause of republicanism, or of man on the broad scale. But an eagerness to render this prevention impossible, leaves me without any hope. Some of those who have insisted that it was long since war on the part of France, are candid enough to admit that it is now begun on our part also. I inclose for your perusal a poem on the alien bill, written by Mr. Marshall. I do this, as well for your amusement, as to get you to take care of this copy for me till I return; for it will be lost by lending it, if I retain it here, as the publication was suppressed after the sale of a few copies, of which I was fortunate enough to get one. Your locks, hinges, &c. shall be immediately attended to.

My respectful salutations and friendship to Mrs. Madison, to the family, and to yourself. Adieu.

TH. JEFFERSON.

P. S. The President, it is said, has refused an Exequatur to the Consul General of France, Dupont.

T. J.

THOMAS JEFFERSON TO JOHN TAYLOR.

Philadelphia, June 1, 1798.

* * * * * * * * *

Mr. New shewed me your letter on the subject of the patent, which gave me an opportunity of observing what you said as to the effect, with you, of public proceedings, and that it was not unwise now to estimate the separate mass of Virginia and

North Carolina, with a view to their separate existence. It is true that we are completely under the saddle of Massachusetts and Connecticut, and that they ride us very hard, cruelly insulting our feelings, as well as exhausting our strength and subsistence. Their natural friends, the three other eastern States, join them from a sort of family pride, and they have the art to divide certain other parts of the Union, so as to make use of them to govern the whole. This is not new; it is the old practice of despots, to use a part of the people to keep the rest in order. And those who have once got an ascendancy, and possessed themselves of all the resources of the nation, their revenues, and offices, have immense means for retaining their advantage. But our present situation is not a natural one. The republicans, through every part of the Union, say, that it was the irresistible influence and popularity of General Washington, played off by the cunning of Hamilton, which turned the government over to anti-republican hands, or turned the republicans chosen by the people into anti-republicans. He delivered it over to his successor in this state, and very untoward events since, improved with great artifice, have produced on the public mind the impressions we see. But still, I repeat it, this is not the natural state. Time alone would bring round an order of things more correspondent to the sentiments of our constituents. But are there no events impending, which will do it within a few months? The crisis with England, the public and authentic avowal of sentiments hostile to the leading principles of our constitution, the prospect of a war, in which we shall stand alone, land tax, stamp tax, increase of a public debt, &c. Be this as it may, in every free and deliberating society, there must, from the nature of man, be opposite parties, and violent dissensions and discords; and one of these, for the most part, must prevail over the other for a longer or shorter time. Perhaps this party division is necessary to induce each to watch and delate to the people the proceedings of the other. But if on a temporary superiority of the one party, the other is to resort to a scission of the Union, no federal government can ever exist. If to rid ourselves of the present rule of Massachusetts and Connecticut, we break the Union, will the evil stop there? Suppose the New England States alone cut off, will our natures be changed? Are we not men still to the south of that, and with all the passions of men? Immediately, we shall see a Pennsylvania and a Virginia party arise in the residuary confederacy, and the public mind will be distracted with the same party spirit. What a game too will the one party have in their hands, by eternally threatening the other, that unless they do so and so, they will join their northern neighbours. If we reduce our Union to Virginia and North Carolina, immediately the conflict will be established between the representatives of these two States, and they will end by breaking into their simple units. Seeing, therefore, that an association of men who will not quarrel with one another is a thing which never yet existed, from the greatest confederacy of nations down to a town meeting or a vestry; seeing that we must have somebody to quarrel with, I had rather keep our New England associates for that purpose, than to see our bickerings transferred to others. They are circumscribed within such narrow limits, and their population so full, that their numbers will ever be the minority, and they are marked, like the Jews, with such a perversity of character, as to constitute, from that circumstance, the natural division of our parties. A little patience, and we shall see the reign of witches pass over, their spells dissolved, and the people, recovering their true sight, restoring their government to its true principles. It is true that, in the mean time, we are suffering deeply in spirit, and incurring the horrors of a war, and long oppressions of enormous public debt. But who can say what would be the evils of a scission, and when and where they would end! Better keep together as we are, haul off from Europe as soon as we can, and from all attachments to any portions of it; and if they shew their power just sufficiently to hoop us together, it will be the happiest situation in which we can exist. If the game runs sometimes against us at home, we must have patience till luck turns, and then we shall have an opportunity of winning back the *principles* we have lost. For this is a game where principles are the stake. Better luck, therefore, to us all, and health, happiness, and friendly salutations to yourself. Adieu.

P. S. It is hardly necessary to caution you to let nothing of mine get before the public; a single sentence got hold of by the Porcupines, will suffice to abuse and persecute me in their papers for months. T. J.

TO GENERAL KOSCIUSKO.

Philadelphia, June 1, 1798.

Dear Sir,

Mr. Volney's departure for France gives me an opportunity of writing to you. I was happy in observing, for many days after your departure, that our winds were favourable for you. I hope, therefore, you quickly passed the cruising grounds on our coast, and have safely arrived at the term of your journey. Your departure is not yet known, or even suspected.* Niemsevioz was much affected. He is now at the federal city. He desired me to have some things taken care of for you. There were some kitchen furniture, backgammon table, and chess men, and a pelisse of fine fur. The latter I have taken to my own apartment, and had packed in hops, and sewed up; the former are put into a warehouse of Mr. Barnes; all subject to your future orders. Some letters came for you soon after your departure; the person who delivered them said there were inclosed in them some for your friend whom you left here, and desired I would open them. I did so in his presence, found only one letter for your friend, took it out, and sealed the letters again in the presence of the same person, without reading a word, or looking who they were from. I now forward them to you, as I do this to my friend Jacob Van Staphorst at Paris. Our alien bill struggles hard for a passage. It has been considerably mollified. It is not yet through the Senate. We are proceeding further and further in war measures. I consider that event as almost inevitable. I am extremely anxious to hear from you, to know what sort of a passage you had, how you find yourself, and the state and prospect of things in Europe. I hope I shall not be long without hearing from you. The first dividend which will be drawn for you and remitted, will be in January, and as the winter passages are dangerous, it will not be forwarded till April: after that, regularly, from six months to six months. This will be done by Mr. Barnes. I shall leave this place in three weeks. The times do not permit an indulgence in political disquisitions; but they forbid not the effusion of friendship, and not my warmest towards you, which no time will alter. Your principles and dispositions were made to be honoured, revered, and loved. True to a single object, the freedom and happiness of man, they have not veered about with the changelings and apostates of our acquaintance. May health and happiness ever attend you. Accept sincere assurances of my affectionate esteem and respect.

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* Shortly before, Mr. Jefferson had obtained passports for General Kosciusko, under an assumed name, from the foreign ministers in this country. The annexed is the note addressed to Mr. Liston, soliciting one from him.

Thomas Jefferson presents his respects to Mr. Liston, and asks the favour of the passport for his friend Thomas Kanberg, of whom he spoke to him yesterday. He is a native of the North of Europe (perhaps of Germany), has been known to Thomas Jefferson these twenty years in America, is of a most excellent character, stands in no relation whatever to any of the belligerent powers, as to whom Thomas Jefferson is not afraid to be responsible for his political innocence, as he goes merely for his private affairs. He will sail from Baltimore, if he finds there a good opportunity for France; and if not, he will come on here. March 27, 1798.'

Adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, June 21, 1798.

DEAR SIR,

Yours of the 10th instant is received. I expected mine of the 14th would have been my last from hence, as I had proposed to set out on the 20th: but on the morning of the 19th, we heard of the arrival of Marshall at New York, and I concluded to stay and see whether that circumstance would produce any new projects. No doubt he there received more than hints from Hamilton as to the tone required to be assumed. Yet I apprehend he is not hot enough for his friends. Livingston came with him from New York. Marshall told him they had no idea in France of a war with us; that Tallayrand sent passports to him and Pinckney, but none for Gerry. Upon this, Gerry staid, without explaining to them the reason. He wrote, however, to the President by Marshall, who knew nothing of the contents of the letter. So that there must have been a previous understanding between Talleyrand and Gerry. Marshall was received here with the utmost éclât. The Secretary of State and many carriages, with all the city cavalry, went to Frankfort to meet him, and on his arrival here in the evening, the bells rung till late in the night, and immense crowds were collected to see and make part of the show, which was circuitously paraded through the streets before he was set down at the City tavern. All this was to secure him to their views, that he might say nothing which would oppose the game they have been playing. Since his arrival I can hear of nothing directly from him, while they are disseminating through the town things, as from him, diametrically opposite to what he said to Livingston. Doctor Logan, about a fortnight ago, sailed for Hamburgh. Though for a twelvemonth past he had been intending to go to Europe as soon as he could get money enough to carry him there, yet when he had accomplished this, and fixed a time for going, he very unwisely made a mystery of it; so that his disappearance without notice excited conversation. This was seized by the war hawks, and given out as a secret mission from the Jacobins here to solicit an army from France, instruct them as to their landing, &c. This extravagance produced a real panic among the citizens; and happening just when Bache published Talleyrand's letter, Harper, on the 18th, gravely announced to the House of Representatives, that there existed a traitorous correspondence between the Jacobins here and the French Directory; that he had got hold of some threads and clues of it, and would soon be able to develop the whole. This increased the alarm; their libelists immediately set to work, directly and indirectly, to implicate whom they pleased. Porcupine gave me a principal share in it, as I am told, for I never read his papers. This state of things added to my reasons for not departing at the time I intended. These follies seem to have died away in some degree already. Perhaps I may renew my purpose by the 25th. Their system is, professedly, to keep up an alarm. Tracy, at the meeting of the joint committee for adjournment, declared it necessary for Congress to stay together to keep up the inflammation of the public mind; and Otis has expressed a similar sentiment since. However, they will adjourn. The opposers of an adjournment in Senate, yesterday agreed to adjourn on the 10th of July. But I think the 1st of July will be carried. That is one of the objects which detain myself, as well as one or two more of the Senate, who had got leave of absence. I imagine it will be decided to-morrow or next day. To separate Congress now, will be withdrawing the fire from under a boiling pot.

My respectful salutations to Mrs. Madison, and cordial friendship to yourself.

TH. JEFFERSON.

P. M. A message to both Houses this day from the President with the following communications.

March 23. Pickering's letter to the Envoys, directing them, if they are not actually engaged in negotiation with authorised persons, or if it is not conducted *bonâ fide*, and not merely for procrastination, to break up and come home, and at any rate to consent to no loan.

April 3. Talleyrand to Gerry. He supposes the other two gentlemen, perceiving that their known principles are an obstacle to negotiation, will leave the republic, and proposes to renew the negotiations with Gerry immediately.

April 4. Gerry to Talleyrand. Disclaims a power to conclude any thing separately, can only confer informally and as an unaccredited person or individual, reserving to lay every thing before the government of the United States for approbation.

April 14. Gerry to the President. He communicates the preceding, and hopes the President will send other persons instead of his colleagues and himself, if it shall appear that any thing can be done.

The President's message says, that as the instructions were not to consent to any loan, he considers the negotiation as at an end, and that he will never send another minister to France, until he shall be assured that he will be received and treated with the respect due to a great, powerful, free, and independent nation.

A bill was brought into the Senate this day, to declare the treaties with France void, prefaced by a list of grievances in the style of a manifesto. It passed to the second reading by fourteen to five.

A bill for punishing forgeries of bank paper, passed to the third reading by fourteen to six. Three of the fourteen (Laurence, Bingham, and Read) bank directors.

TO SAMUEL SMITH.

Monticello, August 22, 1798.

Dear Sir,

Your favour of August the 4th came to hand by our last post, together with the 'extract of a letter from a gentleman of Philadelphia, dated July the 10th,' cut from a newspaper, stating some facts which respect me. I shall notice these facts. The writer says, that 'the day after the last despatches were communicated to Congress, Bache, Leib, &c. and a Dr. Reynolds, were *closeted* with me.' If the receipt of visits in my public room, the door continuing free to every one who should call at the same time, may be called *closeting*, then it is true that I was *closeted* with every person who visited me; in no other sense is it true, as to any person. I sometimes received visits from Mr. Bache and Dr. Leib. I received them always with pleasure, because they are men of abilities, and of principles the most friendly to liberty and our present form of government. Mr. Bache has another claim on my respect, as being the grandson of Dr. Franklin, the greatest man and ornament of the age and country in which he lived. Whether I was visited by Mr. Bache or Dr. Leib the day after the communication referred to, I do not remember. I know that all my motions at Philadelphia, here, and every where, are watched and recorded. Some of these spies, therefore, may remember, better than I do, the dates of these visits. If they say these two gentlemen visited me the day after the communication, as their trade proves their accuracy, I shall not contradict them, though I affirm that I do not recollect it. However, as to Dr. Reynolds I can be more particular, because I never saw him but once, which was on an introductory visit he was so kind as to pay me. This, I well remember, was before the communication alluded to, and that during the short conversation I had with him, not one word was said on the subject of any of the communications. Not that I should not have spoken freely on the subject to Dr. Reynolds, as I should also have done to the letter writer, or to any other person who should have introduced the subject. I know my own principles to be pure, and therefore am not ashamed of them. On the contrary, I wish them known, and therefore willingly express them to every one. They are the same I have acted on from the year 1775 to this day, and are the same, I am sure, with those of the great body of the American people. I only wish the real principles of those who censure mine were also known. But warring against those of the people, the delusion of the people is necessary to the dominant party. I see the extent to which that delusion has been already carried, and I see there is no length to which it may not be pushed by a party in possession of the revenues and the legal authorities of the United States, for a short time, indeed, but yet long enough to admit much particular mischief. There is no event, therefore, however atrocious, which may not be expected. I have contemplated every event which the Maratists of the day can perpetrate, and am prepared to meet every one in such a way as shall not be derogatory either to the public liberty or my own personal honour. The letter writer says, I am 'for peace; but it is only with France.' He has told half the truth; he would have told the whole, if he had added England. I am for peace with both countries. I know that both of them have given, and are daily giving, sufficient cause of war; that in defiance of the laws of nations, they are every day trampling on the rights of the neutral powers, whenever they can thereby do the least injury either to the other. But as I view a peace between France and England the ensuing winter to be certain, I have thought it would have been better for us to have continued to bear from France, through the present summer, what we have been bearing both from her and England these four years, and still continue to bear from England, and to have required indemnification in the hour of peace, when I verily believed it would have been yielded by both. This seems to be the plan of the other neutral nations; and whether this, or the commencing war on one of them, as we have done, would have been wisest, time and events must decide. But I am quite at a loss on what ground the letter writer can question the opinion, that France had no intention of making war on us, and was willing to treat with Mr. Gerry, when we have this from Talleyrand's letter, and from the written and verbal information of our Envoys. It is true, then, that, as with England, we might of right have chosen either war or peace, and have chosen peace, and prudently, in my opinion, so with France, we might also of right have chosen either peace or war, and we have chosen war. Whether the choice may be a popular one in the other States, I know not. Here it certainly is not; and I have no doubt the whole American people will rally, ere long, to the same sentiment, and rejudge those who, at present, think they have all judgment in their own hands.

These observations will shew you how far the imputations in the paragraph sent me approach the truth. Yet they are not intended for a newspaper. At a very early period of my life I determined never to put a sentence into any newspaper. I have religiously adhered to the resolution through my life, and have great reason to be contented with it. Were I to undertake to answer the calumnies of the newspapers, it would be more than all my own time and that of twenty aids could effect; for while I should be answering one, twenty new ones would be invented. I have thought it better to trust to the justice of my countrymen, that they would judge me by what they *see* of my conduct on the stage where they have placed me, and what they knew of me *before* the epoch since which a particular party has supposed it might answer some view of theirs to vilify me in the public eye. Some, I know, will not reflect how apocryphal is the testimony of enemies so palpably betraying the views with which they give it; but this is an injury to which duty requires every one to submit whom the public think proper to call into its councils. I thank you, my dear Sir, for the interest you have for me on this occasion. Though I have made up my mind not to suffer calumny to disturb my tranquillity, yet I retain all my sensibilities for the approbation of the good and just. That is, indeed, the chief consolation for the hatred of so many, who, without the least personal knowledge, and on the sacred evidence of Porcupine and Fenno alone, cover me with their implacable hatred. The only return I will ever make them will be to do them all the good I can, in spite of their teeth.

I have the pleasure to inform you that all your friends in this quarter are well, and to assure you of the sentiments of sincere esteem and respect with which I am,

Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO A. H. ROWAN.

Monticello, September 26, 1798.

SIR,

To avoid the suspicions and curiosity of the post-office, which would have been excited by seeing your name and mine on the back of a letter, I have delayed acknowledging the receipt of your favour of July last, till an occasion to write to an inhabitant of Wilmington gives me an opportunity of putting my letter under cover to him. The system of alarm and jealousy which has been so powerfully played off in England, has been mimicked here, not entirely without success. The most long-sighted politician could not, seven years ago, have imagined that the people of this wide-extended country could have been enveloped in such delusion, and made so much afraid of themselves and their own power as to surrender it spontaneously to those who are manœuvring them into a form of government, the principal branches of which may be beyond their control. The commerce of England, however, has spread its roots over the whole face of our country. This is the real source of all the obliquities of the public mind; and I should have had doubts of the ultimate term they might attain; but happily, the game, to be worth the playing of those engaged in it, must flush them with money. The authorised expenses of this year are beyond those of any year in the late war for independence, and they are of a nature to beget great and constant expenses. The purse of the people is the real seat of sensibility. It is to be drawn upon largely, and they will then listen to truths which could not excite them through any other organ. In this State, however, the delusion has not prevailed. They are sufficiently on their guard to have justified the assurance, that should you choose it for your asylum, the laws of the land, administered by upright judges, would protect you from any exercise of power unauthorised by the constitution of the United States. The *habeas corpus* secures every man here, alien or citizen, against every thing which is not law, whatever shape it may assume. Should this, or any other circumstance, draw your footsteps this way, I shall be happy to be among those who may have an opportunity of testifying, by every attention in our power, the sentiments of esteem and respect which the circumstances of your history have inspired, and which are peculiarly felt by,

Sir,
Your most obedient and most humble servant,
TH. JEFFERSON.

TO STEPHENS THOMPSON MASON.

Monticello, October 11, 1798.

DEAR SIR,

I have to thank you for your favour of July the 6th, from Philadelphia. I did not immediately acknowledge it, because I knew you would have come away. The X. Y. Z. fever has considerably abated through the country, as I am informed, and the alien and sedition laws are working hard. I fancy that some of the State legislatures will take strong ground on this occasion. For my own part, I consider those laws as merely an experiment on the American mind, to see how far it will bear an avowed violation of the constitution. If this goes down, we shall immediately see attempted another act of Congress, declaring that the President shall continue in office during life, reserving to another occasion the transfer of the succession to his heirs, and the establishment of the Senate for life; at least this may be the aim of the Oliverians, while Monk and the Cavaliers (who are perhaps the strongest) may be playing their game for the restoration of his most gracious

Majesty George the Third. That these things are in contemplation, I have no doubt; nor can I be confident of their failure, after the dupery of which our countrymen have shewn themselves susceptible.

You promised to endeavour to send me some tenants. I am waiting for them, having broken up two excellent farms, with twelve fields in them, of forty acres each, some of which I have sowed with small grain. Tenants of any size may be accommodated with the number of fields suited to their force. Only send me good people, and write me what they are.

Adieu.

Yours affectionately,
TH. JEFFERSON.

TO JOHN TAYLOR.

Monticello, November 26, 1798.

DEAR SIR,

We formerly had a debtor and creditor account of letters on farming: but the high price of tobacco, which is likely to continue for some short time, has tempted me to go entirely into that culture; and, in the mean time, my farming schemes are in abeyance, and my farming fields at nurse against the time of my resuming them. But I owe you a political letter. Yet the infidelities of the post-office, and the circumstances of the times, are against my writing fully and freely, whilst my own dispositions are as much against mysteries, inuendos, and half confidences. I know not which mortifies me most, that I should fear to write what I think, or my country bear such a state of things. Yet Lyon's judges, and a jury of all nations, are objects of national fear. We agree in all the essential ideas of your letter. We agree particularly in the necessity of some reform, and of some better security for civil liberty. But, perhaps, we do not see the existing circumstances in the same point of view. There are many considerations *dehors* of the State, which will occur to you without enumeration. I should not apprehend them, if all was sound within. But there is a most respectable part of our State who have been enveloped in the X. Y. Z. delusion, and who destroy our unanimity for the present moment. This disease of the imagination will pass over, because the patients are essentially republicans. Indeed, the Doctor is now on his way to cure it, in the guise of a tax gatherer. But give time for the medicine to work, and for the repetition of stronger doses, which must be administered. The principle of the present majority is *excessive expense*, money enough to fill all their maws, or it will not be worth the risk of their supporting. They cannot borrow a dollar in Europe, or above two or three millions in America. This is not the fourth of the expenses of this year, unprovided for. Paper money would be perilous even to the paper men. Nothing, then, but excessive taxation can get us along: and this will carry reason and reflection to every man's door, and particularly in the hour of election.

I wish it were possible to obtain a single amendment to our constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its constitution; I mean an additional article, taking from the federal government the power of borrowing. I now deny their power of making paper money, or any thing else, a legal tender. I know that to pay all proper expenses within the year, would, in case of war, be hard on us. But not so hard as ten wars instead of one; for wars would be reduced in that proportion; besides that the State Governments would be free to lend *their credit* in borrowing quotas. For the present, I should be for resolving the alien and sedition laws to be against the constitution and merely void, and for addressing the other States to obtain similar declarations; and I would not do any thing at this moment which should commit us further, but reserve ourselves to shape our future measures, or no measures, by the events which may happen. It is a singular phenomenon, that while our State Governments are the very *best in the world*, without exception or comparison, our General Government has, in the rapid course of nine or ten years, become more arbitrary, and has swallowed more of the public liberty, than even that of England. I inclose you a column, cut out of a London paper, to shew you that the English, though charmed with our making their enemies our enemies, yet blush and weep over our sedition law. But I inclose you something more important. It is a petition for a reformation in the manner of appointing our juries, and a remedy against the *jury of all nations*, which is handing about here for signature, and will be presented to your House. I know it will require but little ingenuity to make objections to the details of its execution; but do not be discouraged by small difficulties; make it as perfect as you can at a first essay, and depend on amending its defects as they develop themselves in practice. I hope it will meet with your approbation and patronage. It is the only thing which can yield us a little present protection against the dominion of a faction, while circumstances are maturing for bringing and keeping the government in real unison with the spirit of their constituents. I am aware that the act of Congress has directed that juries shall be appointed by lot or otherwise, as the laws *now* (at the date of the act) in force in the several States provide. The New England States have always had them elected by their select men, who are elected by the people. Several or most of the other States, have a large number appointed (I do not know how) to attend, out of whom twelve for each cause are taken by lot. This provision of Congress will render it necessary for our Senators, or Delegates, to apply for an amendatory law, accommodated to that prayed for in the petition. In the mean time, I would pass the law as if the amendatory one existed, in reliance, that our select jurors attending, the federal judge will, under a sense of right, direct the juries to be taken from among them. If he does not, or if Congress refuses to pass the amendatory law, it will serve as eye-water for their constituents. Health, happiness, *safety*, and esteem to yourself, and my ever honoured and ancient friend Mr. Pendleton. Adieu.

Th. Jefferson.

TO JAMES MADISON.

Philadelphia, January 3, 1799.

Dear Sir,

I have suffered the post hour to come so nearly on me, that I must huddle over what I have more than appears in the public papers. I arrived here on Christmas day, not a single bill or other article of business having yet been brought into Senate. The President's speech, so unlike himself in point of moderation, is supposed to have been written by the military conclave, and particularly Hamilton. When the Senate gratuitously hint Logan to him, you see him, in his reply, come out in his genuine colours. The debates on that subject, and Logan's declaration, you will see in the papers. The republican spirit is supposed to be gaining ground in this State and Massachusetts. The tax gatherer has already excited discontent. Gerry's correspondence with Talleyrand, promised by the President at the opening of the session, is still kept back. It is known to shew France in a very conciliatory attitude, and to contradict some executive assertions. Therefore, it is supposed they will get their war measures well taken before they will produce this damper. Vans Murray writes them, that the French government is sincere in their overtures for reconciliation, and have agreed, if these fail, to admit the mediation offered by the Dutch government.

* * * * *

General Knox has become bankrupt for four hundred thousand dollars, and has resigned his military commission. He took in General Lincoln for one hundred and fifty thousand dollars, which breaks him. Colonel Jackson also sunk with him. It seems generally admitted, that several cases of the yellow fever still exist in the city, and the apprehension is, that it will re-appear early in the spring. You promised me a copy of McGee's bill of prices. Be so good as send it on to me here. Tell Mrs. Madison her friend Madame d'Yrujo, is as well as one can be so near to a formidable crisis. Present my friendly respects to her, and accept yourself my sincere and affectionate salutations. Adieu.

TH. JEFFERSON.

P. S. I omitted to mention, that a petition has been presented to the President, signed by several thousand persons in Vermont, praying a remitment of Lyon's fine. He asked the bearer of the petition if Lyon himself had petitioned, and being answered in the negative, said, 'penitence must precede pardon.' T. J.

TO JAMES MADISON.

Philadelphia, January 16, 1799.

DEAR Sir,

The forgery lately attempted to be played off by Mr. H. on the House of Representatives, of a pretended memorial presented by Logan to the French government, has been so palpably exposed, as to have thrown ridicule on the whole of the clamours they endeavoured to raise as to that transaction. Still, however, their majority will pass the bill. The real views in the importance they have given to Logan's enterprise are mistaken by nobody. Mr. Gerry's communications relative to his transactions after the departure of his colleagues, though he has now been returned five months, and they have been promised to the House six or seven weeks, are still kept back. In the mean time, the paper of this morning promises them from the Paris papers. It is said, they leave not a possibility to doubt the sincerity and the anxiety of the French government to avoid the spectacle of a war with us. Notwithstanding this is well understood, the army and a great addition to our navy are steadily intended. A loan of five millions is opened at eight per cent. interest!

* * * * *

In a society of members, between whom and yourself are great mutual esteem and respect, a most anxious desire is expressed that you would publish your debates of the convention. That these measures of the army, navy, and direct tax, will bring about a revolution of public sentiment, is thought certain, and that the constitution will then receive a different explanation. Could those debates be ready to appear critically, their effect would be decisive. I beg of you to turn this subject in your mind. The arguments against it will be personal; those in favour of it moral; and something is required from you as a set-off against the sin of your retirement. Your favour of December the 29th came to hand January the 5th; seal sound. I pray you always to examine the seals of mine to you, and the strength of the impression. The suspicions against the government on this subject are strong. I wrote you January the 5th.

Accept for yourself and Mrs. Madison my affectionate salutations. Adieu.

TH. JEFFERSON.

TO ELBRIDGE GERRY.

Philadelphia, January 26, 1799.

MY DEAR SIR,

Your favour of November the 12th was safely delivered to me by Mr. Binney; but not till December the 28th, as I arrived here only three days before that date. It was received with great satisfaction. Our very long intimacy as fellow labourers in the same cause, the recent expressions of mutual confidence which had preceded your mission, the interesting course which that had taken, and particularly and personally as it regarded yourself, made me anxious to hear from you on your return. I was the more so too, as I had myself, during the whole of your absence, as well as since your return, been a constant butt for every shaft of calumny which malice and falsehood could form, and the presses, public speakers, or private letters disseminate. One of these, too, was of a nature to touch yourself; as if, wanting confidence in your efforts, I had been capable of usurping powers committed to you, and authorizing negotiations private and collateral to yours. The real truth is, that though Doctor Logan, the pretended missionary, about four or five days before he sailed for Hamburg, told me he was going there, and thence to Paris, and asked and received from me a certificate of his citizenship, character, and circumstances of life, merely as a protection, should he be molested on his journey in the present turbulent and suspicious state of Europe, yet I had been led to consider his object as relative to his private affairs; and though, from an intimacy of some standing, he knew well my wishes for peace, and my political sentiments in general, he nevertheless received then no particular declaration of them, no authority to communicate them to any mortal, nor to speak to any one in my name, or in any body's name, on that, or any other subject whatever; nor did I write by him a scrip of a pen to any person whatever. This he has himself honestly and publicly declared since his return; and, from his well known character, and every other circumstance, every candid man must perceive that his enterprise was dictated by his own enthusiasm, without consultation or communication with any one; that he acted in Paris on his own ground, and made his own way. Yet to give some colour to his proceedings, which might implicate the republicans in general, and myself particularly, they have not been ashamed to bring forward a suppositious paper, drawn by one of their own party in the name of Logan, and falsely pretended to have been presented by him to the government of France; counting that the bare mention of my name therein, would connect that in the eye of the public with this transaction. In confutation of these and all future calumnies, by way of anticipation, I shall make to you a profession of my political faith; in confidence that you will consider every future imputation on me of a contrary complexion, as bearing on its front the mark of falsehood and calumny.

I do then, with sincere zeal, wish an inviolable preservation of our present federal constitution, according to the true sense in which it was adopted by the States, that in which it was advocated by its friends, and not that which its enemies apprehended, who, therefore, became its enemies: and I am opposed to the monarchising its features by the forms of its administration, with a view to conciliate a first transition to a President and Senate for life, and from that to an hereditary tenure of these offices, and thus to worm out the elective principle. I am for preserving to the States the powers not yielded by them to the Union, and to the legislature of the Union its constitutional share in the division of powers: and I am not for transferring all the powers of the States to the General Government, and all those of that government to the executive branch. I am for a government rigorously frugal and simple, applying all the possible savings of the public revenue to the discharge of the national debt: and not for a multiplication of officers and salaries merely to make partisans, and for increasing, by every device, the public debt, on the principle of its being a public blessing. I am for relying, for internal defence, on our militia solely, till actual invasion, and for such a naval force only as may protect our coasts and harbours from such depredations as we have experienced: and not for a standing army in time of peace, which may overawe the public sentiment: nor for a navy, which, by its own expenses, and the eternal wars in which it will implicate us, will grind us with public burthens, and sink us under them. I am for free commerce with all nations; political connection with none; and little or no diplomatic establishment. And I am not for linking ourselves by new treaties with the quarrels of Europe: entering that field of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty. I am for freedom of religion, and against all manœuvres to bring about a legal ascendancy of one sect over another: for freedom of the press, and against all violations of the constitution to silence by force and not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents. And I am for encouraging the progress of science in all its branches: and not for raising a hue and cry against the sacred name of philosophy; for awing the human mind by stories of raw-head and bloody bones to a distrust of its own vision, and to repose implicitly on that of others; to go backwards instead of forwards to look for improvement; to believe that government, religion, morality, and every other science, were in the highest perfection in ages of the darkest ignorance, and that nothing can ever be devised more perfect than what was established by our forefathers. To these I will add, that I was a sincere well wisher to the success of the French revolution, and still wish it may end in the establishment of a free and well ordered republic: but I have not been insensible under the atrocious depredations they have committed on our commerce. The first object of my heart is my own country. In that is embarked my family, my fortune, and my own existence. I have not one farthing of interest, nor one fibre of attachment, out of it, nor a single motive of preference of any one nation to another, but in proportion as they are more or less friendly to us. But though deeply feeling the injuries of France, I did not think war the surest means of redressing them. I did believe that a mission sincerely disposed to preserve peace, would obtain for us a peaceable and honourable settlement and retribution; and I appeal to you to say, whether this might not have been obtained, if either of your colleagues had been of the same sentiment with yourself.

These, my friend, are my principles: they are unquestionably the principles of the great body of our fellow-citizens, and I know there is not one of them which is not yours also. In truth, we never differed but on one ground, the funding system; and as, from the moment of its being adopted by the constituted authorities, I became religiously principled in the sacred discharge of it to the uttermost farthing, we are united now even on that single ground of difference.

I turn now to your inquiries. The inclosed paper will answer one of them. But you also ask for such political information as may be possessed by me, and interesting to yourself in regard to your embassy. As a proof of my entire confidence in you, I shall give it fully and candidly. When Pinckney, Marshall, and Dana were nominated to settle our differences with France, it was suspected by many, from what was understood of their dispositions, that their mission would not result in a settlement of differences; but would produce circumstances tending to widen the breach, and to provoke our citizens to consent to a war with that nation, and union with England. Dana's resignation and your appointment gave the first gleam of hope of a peaceable issue to the mission; for it was believed that you were sincerely disposed to accommodation: and it was not long after your arrival there, before symptoms were observed of that difference of views which had been suspected to exist. In the meantime, however, the aspect of our government towards the French republic had become so ardent, that the people of America generally took the alarm. To the southward, their apprehensions were early excited. In the eastern States also, they at length began to break out. Meetings were held in many of your towns, and addresses to the government agreed on in opposition to war. The example was spreading like a wild fire. Other meetings were called in other places, and a general concurrence of sentiment against the apparent inclinations of the government was imminent; when, most critically for the government, the despatches of October the 22d, prepared by your colleague Marshall, with a view to their being made public, dropped into their laps. It was truly a God-send to them, and they made the most of it. Many thousands of copies were printed and dispersed gratis, at the public expense; and the zealots for war co-operated so heartily, that there were instances of single individuals who printed and dispersed ten or twelve thousand copies at their own expense. The odiousness of the corruption supposed in those papers excited a general and high indignation among the people. Unexperienced in such manœuvres, they did not permit themselves even to suspect that the turpitude of private swindlers might mingle itself unobserved, and give its own hue to the communications of the French government, of whose participation there was neither proof nor probability. It served, however, for a time, the purpose intended. The people, in many places, gave a loose to the expressions of their warm indignation, and of their honest preference of war to dishonour. The fever was long and successfully kept up, and, in the mean time, war measures as ardently crowded. Still, however, as it was known that your colleagues were coming away, and yourself to stay, though disclaiming a separate power to conclude a treaty, it was hoped by the lovers of peace that a project of treaty would have been prepared, *ad referendum*, on principles which would have satisfied our citizens, and overawed any bias of the government towards a different policy. But the expedition of the Sophia, and, as was supposed, the suggestions of the person charged with your despatches, and his probable misrepresentations of the real wishes of the American people, prevented these hopes. They had then only to look forward to your return for such information, either through the executive, or from yourself, as might present to our view the other side of the medal. The despatches of October 22d, 1797, had presented one face. That information, to a certain degree, is now received, and the public will see from your correspondence with Talleyrand, that France, as you testify, 'was sincere and anxious to obtain a reconciliation, not wishing us to break the British treaty, but only to give her equivalent stipulations; and in general, was disposed to a liberal treaty.' And they will judge whether Mr. Pickering's report shews an inflexible determination to believe no declarations the French government can make, nor any opinion which you, judging on the spot and from actual view, can give of their sincerity, and to meet their designs of peace with operations of war. The alien and sedition acts have already operated in the south as powerful sedatives of the

X. Y. Z. inflammation. In your quarter, where violations of principle are either less regarded or more concealed, the direct tax is likely to have the same effect, and to excite inquiries into the object of the enormous expenses and taxes we are bringing on. And your information supervening, that we might have a liberal accommodation if we would, there can be little doubt of the reproduction of that general movement which had been changed, for a moment, by the despatches of October the 22d. And though small checks and stops, like Logan's pretended embassy, may be thrown in the way, from time to time, and may a little retard its motion, yet the tide is already turned, and will sweep before it all the feeble obstacles of art. The unquestionable republicanism of the American mind will break through the mist under which it has been clouded, and will oblige its agents to reform the principles and practices of their administration.

You suppose, that you have been abused by both parties. As far as has come to my knowledge, you are misinformed. I have never seen or heard a sentence of blame uttered against you by the republicans; unless we were so to construe their wishes that you had more boldly co-operated in a project of a treaty, and would more explicitly state, whether there was in your colleagues that flexibility, which persons earnest after peace would have practised? Whether, on the contrary, their demeanor was not cold, reserved, and distant, at least, if not backward? And whether, if they had yielded to those informal conferences which Talleyrand seems to have courted, the liberal accommodation you suppose might not have been effected, even with their agency? Your fellow-citizens think they have a right to full information, in a case of such great concernment to them. It is their sweat which is to earn all the expenses of the war, and their blood which is to flow in expiation of the causes of it. It may be in your power to save them from these miseries by full communications and unrestrained details, postponing motives of delicacy to those of duty. It rests with you to come forward independently; to make your stand on the high ground of your own character; to disregard calumny, and to be borne above it on the shoulders of your grateful fellow-citizens; or to sink into the humble oblivion to which the federalists (self-called) have secretly condemned you; and even to be happy if they will indulge you with oblivion, while they have beamed on your colleagues meridian splendour. Pardon me, my dear Sir, if my expressions are strong. My feelings are so much more so, that it is with difficulty I reduce them even to the tone I use. If you doubt the dispositions towards you, look into the papers, on both sides, for the toasts which were given throughout the States on the fourth of July. You will there see whose hearts were with you, and whose were ulcerated against you. Indeed, as soon as it was known that you had consented to stay in Paris, there was no measure observed in the execrations of the war party. They openly wished you might be guillotined, or sent to Cayenne, or any thing else. And these expressions were finally stifled from a principle of policy only, and to prevent you from being urged to a justication of yourself. From this principle alone proceed the silence and cold respect they observe towards you. Still, they cannot prevent at times the flames bursting from under the embers, as Mr. Pickering's letters report, and conversations testify, as well as the indecent expressions respecting you, indulged by some of them in the debate on these despatches. These sufficiently shew that you are never more to be honoured or trusted by them, and that they wait to crush you for ever, only till they can do it without danger to themselves.

When I sat down to answer your letter, but two courses presented themselves, either to say nothing or every thing; for half confidences are not in my character. I could not hesitate which was due to you. I have unbosomed myself fully; and it will certainly be highly gratifying if I receive like confidence from you. For even if we differ in principle more than I believe we do, you and I know too well the texture of the human mind, and the slipperiness of human reason, to consider differences of opinion otherwise than differences of form or feature. Integrity of views, more than their soundness, is the basis of esteem. I shall follow your direction in conveying this by a private hand; though I know not, as yet, when one worthy of confidence will occur. And my trust in you leaves me without a fear that this letter, meant as a confidential communication of my impressions, may ever go out of your own hand, or be suffered in any wise to commit my name. Indeed, besides the accidents which might happen to it, even under your care, considering the accident of death, to which you are liable, I think it safest to pray you, after reading it as often as you please, to destroy at least the second and third leaves. The first contains principles only, which I fear not to avow; but the second and third contain facts stated for your information, and which, though sacredly conformable to my firm belief, yet would be galling to some, and expose me to illiberal attacks. I therefore repeat my prayer to burn the second and third leaves. And did we ever expect to see the day, when, breathing nothing but sentiments of love to our country, and its freedom and happiness, our correspondence must be as secret as if we were hatching its destruction!

Adieu, my friend, and accept my sincere and affectionate salutations. I need not add my signature.

TO EDMUND PENDLETON.

Philadelphia, January 29, 1799.

DEAR SIR,

Your patriarchal address to your country is running through all the republican papers, and has a very great effect on the people. It is short, simple, and presents things in a view they readily comprehend. The character and circumstances too of the writer leave them without doubts of his motives. If, like the patriarch of old, you had but one blessing to give us, I should have wished it directed to a particular object. But I hope you have one for this also. You know what a wicked use has been made of the French negotiation; and particularly the X. Y. Z. dish, cooked up by * * * *, where the swindlers are made to appear as the French government. Art and industry combined have certainly wrought out of this business a wonderful effect on the people. Yet they have astonished more than they have understood it; and now that Gerry's correspondence comes out, clearing the French government of that turpitude, and shewing them 'sincere in their dispositions for peace, not wishing us to break the British treaty, and willing to arrange a liberal one with us,' the people will be disposed to suspect they have been duped. But these communications are too voluminous for them, and beyond their reach. A recapitulation is now wanting of the whole story, stating every thing according to what we may now suppose to have been the truth, short, simple, and levelled to every capacity. Nobody in America can do it so well as yourself, in the same character, of the father of your country, or any form you like better, and so concise, as, omitting nothing material, may yet be printed in handbills, of which we could print and disperse ten or twelve thousand copies under letter covers, through all the United States, by the members of Congress, when they return home. If the understanding of the people could be rallied to the truth on this subject, by exposing the dupery practised on them, there are so many other things about to bear on them favourably for the resurrection of their republican spirit, that a reduction of the administration to constitutional principles cannot fail to be the effect. These are the alien and sedition laws; the vexations of the stamp act; the disgusting particularities of the direct tax; the additional army without an enemy, and recruiting officers lounging at every Court House, to decoy the labourer from his plough; a navy of fifty ships; five millions to be raised to build it, on the usurious interest of eight per cent; the perseverance in war, on our part, when the French government shews such an anxious desire to keep at peace with us; taxes of ten millions, now paid by four millions of people, and yet a necessity, in a year or two, of raising five millions more for annual expenses. These things will immediately be bearing on the public mind, and if it remain not still blinded by a supposed necessity, for the purposes of maintaining our independence and defending our country, they will set things to rights. I hope you will undertake this statement. If any body else had possessed your happy talent for this kind of recapitulation, I would have been the last to disturb you with the application; but it will really be rendering our country a service greater than it is in the power of any other individual to render. To save you the trouble of hunting the several documents from which this statement is to be taken, I have collected them here completely, and inclose them to you.

Logan's bill has passed. On this subject it is hardly necessary for me to declare to you, on every thing sacred, that the part they ascribed to me was entirely a calumny. Logan called on me, four or five days before his departure, and asked and received a certificate (in my private capacity) of his citizenship and circumstances of life, merely as a protection, should he be molested in the present turbulent state of Europe. I have given such to an hundred others, and they have been much more frequently asked and obtained by tories than whigs.

* * * * * *

Accept my sincere prayers for long and happy years to you still, and my affectionate salutations and adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, February 5, 1799.

DEAR SIR,

I wrote you last on the 30th of January; since which yours of the 25th has been received.

* * * * * * * *

The bill for continuing the suspension of intercourse with France and her dependencies, is still before the Senate, but will pass by a very great vote. An attack is made on what is called the Toussaint's clause, the object of which, as is charged by the one party, and *admitted* by the other, is to facilitate the separation of the island from France. The clause will pass, however, by about nineteen to eight, or perhaps eighteen to nine. Rigaud, at the head of the people of colour, maintains his allegiance; but they are only twenty-five thousand souls against five hundred thousand, the number of the blacks. The treaty made with them by Maitland is (if they are to be separated from France) the best thing for us. They must get their provisions from us. It will, indeed, be in English bottoms, so that we shall lose the carriage; but the English will, probably, forbid them the ocean, confine them to their island, and thus prevent their becoming an American Algiers. It must be admitted, too, that they may play them off on us when they please. Against this there is no remedy but timely measures on our part, to clear ourselves, by degrees, of the matter on which that lever can work.

* * * * * *

A piece published in Bache's paper on *foreign influence*, has had the greatest currency and effect. To an extraordinary first impression they have been obliged to make a second, and of an extraordinary number. It is such things as these the public want. They say so from all quarters, and that they wish to hear *reason* instead of *disgusting blackguardism.* The public sentiment being now on the creen, and many heavy circumstances about to fall into the republican scale, we are sensible that this summer is the season for systematic energies and sacrifices. The engine is the press. Every man must lay his purse and his pen under contribution. As to the former, it is possible I may be obliged to assume something for you. As to the latter, let me pray and beseech you to set apart a certain portion of every post day to write what may be proper for the public. Send it to me while here, and when I go away I will let you know to whom you may send, so that your name shall be sacredly secret. You can render such incalculable services in this way, as to lessen the effect of our loss of your presence here. I shall see you on the 5th or 6th of March.

Affectionate salutations to Mrs. Madison and yourself.

Adieu.

TH. JEFFERSON.

TO EDMUND PENDLETON.

Philadelphia, February 14, 1799.

DEAR SIR,

I wrote you a petition on the 29th of January. I know the extent of this trespass on your tranquillity, and how indiscreet it would have been under any other circumstances. But the fate of this country, whether it shall be irretrievably plunged into a form of government rejected by the makers of the constitution, or shall get back to the true principles of that instrument, depends on the turn which things may take within a short period of time ensuing the present moment. The violations of the constitution, propensities to war, to expense, and to a particular foreign connection, which we have lately seen, are becoming evident to the people, and are dispelling that mist which X. Y. Z. had spread before their eyes. This state is coming forward with a boldness not yet seen. Even the German counties of York and Lancaster, hitherto the most devoted, have come about, and, by petitions with four thousand signers, remonstrate against the alien and sedition laws, standing armies, and discretionary powers in the President. New York and Jersey are also getting into great agitation. In this state, we fear that the ill designing may produce insurrection. Nothing could be so fatal. Any thing like force would check the progress of the public opinion, and rally them round the government. This is not the kind of opposition the American people will permit. But keep away all show of force, and they will bear down the evil propensities of the government, by the constitutional means of election and petition. If we can keep quiet, therefore, the tide, now turning, will take a steady and proper direction. Even in New Hampshire there are strong symptoms of a rising inquietude. In this state of things, my dear Sir, it is more in your power than any other man's in the United States, to give the *coup de grâce* to the ruinous principles and practices we have seen. In hopes you have consented to it, I shall furnish to you some additional matter which has arisen since my last.

I inclose you a part of a speech of Mr. Gallatin on the naval bill. The views he takes of our finances, and of the policy of our undertaking to establish a great navy, may furnish some hints. I am told something on the same subject from Mr. J. Nicholas will appear in the Richmond and Fredericksburg papers. I mention the real author, that you may respect it duly, for I presume it will be anonymous. The residue of Gallatin's speech shall follow when published. A recent fact, proving the anxiety of France for a reconciliation with us, is the following. You know that one of the armed vessels which we took from her was refitted by us, sent to cruise againt her, re-captured, and carried into Guadaloupe under the name of the Retaliation. On the arrival there of Desfourneaux, the new commissioner, he sent Victor Hughes home in irons; called up our captain; told him that he found he had a regular commission as an officer of the United States; that his vessel was then lying in the harbour; that he should inquire into no fact preceding his own arrival (by this he avoided noticing that the vessel was really French property), and that therefore, himself and crew were free to depart with their vessel; that as to the differences between France and the United States, commissioners were coming out to settle them, and, in the mean time, no injury should be done on their part. The captain insisted on being a prisoner; the other disclaimed; and so he arrived here with vessel and crew the day before yesterday. Within an hour after this was known to the Senate, they passed the retaliation bill, of which I inclose you a copy. This was the more remarkable, as the bill was founded expressly on the *Arrêt* of October the 29th, which had been communicated by the President as soon as received, and he remarked, 'that it could not be too soon communicated to the two Houses and the public.' Yet he almost in the same instant received through the same channel, Mr. King's information that that *Arrêt* was suspended, and though he knew we were making it the foundation of a retaliation bill, he has never yet communicated it. But the Senate knew the fact informally from the Secretary of State, and knowing it, passed the bill.

The President has appointed, and the Senate approved Rufus King, to enter into a treaty of commerce with the Russians, at London, and William Smith, (Phocion) Envoy Extraordinary and Minister Plenipotentiary, to go to Constantinople to make one with the Turks. So that as soon as there is a coalition of Turks, Russians, and English, against France, we seize that moment to countenance it as openly as we dare, by treaties which we never had with them before. All this helps to fill up the measure of provocation towards France, and to get from them a declaration of war, which we are afraid to be the first in making. It is certain the French have behaved atrociously towards neutral nations, and us particularly; and though we might be disposed not to charge them with all the enormities committed in their name in the West Indies, yet they are to be blamed for not doing more to prevent them. A just and rational censure ought to be expressed on them, while we disapprove the constant billingsgate poured on them *officially*. It is, at the same time, true, that their enemies set the first example of violating neutral rights, and continue it to this day: insomuch, that it is declared on all hands, and particularly by the insurance companies, and denied by none, that the British spoliations have considerably exceeded the French during the last six months. Yet not a word of these things is said officially to the legislature.

Still further, to give the devil (the French) his due, it should be observed that it has been said without contradiction, and the people made to believe, that their refusal to receive our Envoys was contrary to the law of nations, and a sufficient cause of war; whereas, every one who ever read a book on the law of nations knows, that it is an unquestionable right in every power, to refuse to receive any minister who is personally disagreeable. Martens, the latest and a very respected writer, has laid this down so clearly and shortly in his 'summary of the law of nations,' B. 7, ch. 2, sect. 9, that I will transcribe the passage verbatim. 'Section 9. Of choice in the person of the minister. The choice of the person to be sent as minister depends of right on the sovereign who sends him, leaving the right, however, of him to whom he is sent, of refusing to acknowledge any one to whom he has a personal dislike, or who is inadmissible by the laws and usages of the country.' And he adds notes, proving by instances, &c. This is the whole section.

Notwithstanding all these appearances of peace from France, we are, besides our *existing* army of five thousand men, and an *additional* army of nine thousand (now officered and levying), passing a bill for an *eventual* army of thirty regiments, (thirty thousand), and for regimenting, brigading, officering, and exercising, *at the public expense*, our *volunteer* army, the amount of which we know not. I inclose you a copy of the bill, which has been twice read and committed in Senate. To meet this expense, and that of the six seventy-fours and six eighteens, part of the proposed fleet, we have opened a loan of five millions at eight per cent, and authorise another of two millions: and at the same time, every man voting for these measures acknowledges there is no probability of an invasion by France. While speaking of the restoration of our vessel, I omitted to add, that it is said that our government contemplate restoring the Frenchmen taken originally in the same vessel, and kept at Lancaster as prisoners. This has furnished the idea of calling her a *cartel* vessel, and pretending that she came as such for an exchange of prisoners, which is false. She was delivered free and without condition; but it does not suit to let any new evidence appear of the desire of conciliation in France.

I believe it is now certain that the commissioners on the British debts can proceed together no longer. I am told that our two have prepared a long report, which will perhaps be made public. The result will be, that we must recur again to negotiation, to settle the principles of the British claims. You know that Congress rises on the 3rd of March, and that if you have acceded to my prayers, I should hear from you at least a week before our rising.

Accept my affectionate salutations, and assurances of the sincere esteem with which I am,

Dear Sir,
Your friend and servant,
TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, February 19, 1799.

DEAR SIR,

I wrote you last on the 11th; yesterday the bill for the *eventual* army of thirty regiments (thirty thousand) and seventy-five thousand volunteers, passed the Senate. By an amendment, the President was authorised to use the volunteers for every purpose for which he can use militia, so that the militia are rendered completely useless. The friends of the bill acknowledged that the volunteers are a *militia*, and agreed that they might properly be called the 'Presidential militia.' They are not to go out of their state without their own consent. Consequently, all service out of the state is thrown on the constitutional militia, the Presidential militia being exempted from doing duty with them. Leblane, an agent from Desfourneaux of Guadaloupe, came in the Retaliation. You will see in the papers Desfourneaux's letter to the President, which will correct some immaterial circumstances of the statement in my last. You will see the truth of the main fact, that the vessel and crew were liberated without condition. Notwithstanding this, they have obliged Leblane to receive the French prisoners, and to admit, in the papers, the terms, 'in *exchange* for *prisoners* taken from us,' he denying at the same time that they consider them as *prisoners*, or had any idea of *exchange*. The object of his mission was not at all relative to that; but they choose to keep up the idea of a cartel, to prevent the transaction from being used as evidence of the sincerity of the French government towards a reconciliation. He came to assure us of a discontinuance of all irregularities in French privateers from Guadaloupe. He has been received very cavalierly. In the mean time, a *consul general* is named to St. Domingo, who may be considered as our minister to Touissaint.

But the event of events was announced to the Senate yesterday. It is this: it seems that soon after Gerry's departure, overtures must have been made by Pichon, French chargé d'affaires at the Hague, to Murray. They were so soon matured, that on the 28th of September, 1798, Talleyrand writes to Pichon, approving what had been done, and particularly of his having assured Murray that *whatever* Plenipotentiary the government of the United States should send to France to end our differences, would undoubtedly be received with the respect due to the representative of a *free*, *independent*, *and powerful nation*; declaring that the President's instructions to his Envoys at Paris, if they contain the whole of the American government's intentions, announce dispositions which have been always entertained by the Directory; and desiring him to communicate these expressions to Murray, in order to convince him of the sincerity of the French government, and to prevail on him to transmit them to his government. This is dated September the 28th, and may have been received by Pichon October the 1st; and nearly five months elapse before it is communicated. Yesterday the President nominated to the Senate William Vans Murray Minister Plenipotentiary to the French republic, and added, that he shall be instructed not to go to France, without direct and unequivocal assurances from the French government that he shall be received in character, enjoy the due privileges, and a minister of equal rank, title, and power, be appointed to discuss and conclude our controversy by a new treaty. This had evidently been kept secret from the federalists of both Houses, as appeared by their dismay. The Senate have passed over this day without taking it up. It is said they are gravelled and divided; some are for opposing, others do not know what to do. But in the mean time, they have been permitted to go on with all the measures of war and patronage, and when the close of the session is at hand it is made known. However, it silences all arguments against the sincerity of France, and renders desperate every further effort towards war. I inclose you a paper with more particulars. Be so good as to keep it till you see me, and then return it, as it is the copy of one I sent to another person, and is the only copy I have. Since I began my letter I have received yours of February the 7th and 8th, with its inclosures; that referred to my discretion is precious, and shall be used accordingly.

Affectionate salutations to Mrs. Madison and yourself, and adieu.

TH. JEFFERSON.

TO GENERAL KOSCIUSKO.

Philadelphia, February 21, 1799.

MY DEAR FRIEND,

* * * * * *

On politics I must write sparingly, lest it should fall into the hands of persons who do not love either you or me. The wonderful irritation produced in the minds of our citizens by the X. Y. Z. story, has in a great measure subsided. They begin to suspect and to see it coolly in its true light. Mr. Gerry's communications, with other information, prove to them that France is sincere in her wishes for reconciliation; and a recent proposition from that country, through Mr. Murray, puts the matter out of doubt. What course the government will pursue, I know not. But if we are left in peace, I have no doubt the wonderful turn in the public opinion, now manifestly taking place and rapidly increasing, will, in the course of this summer, become so universal and so weighty, that friendship abroad and freedom at home will be firmly established by the influence and constitutional powers of the people at large. If we are forced into war, we must give up political differences of opinion, and unite as one man to defend our country. But whether at the close of such a war, we should be as free as we are now, God knows. In fine, if war takes place, republicanism has every thing to fear; if peace, be assured that your forebodings and my alarms will prove vain; and that the spirit of our citizens, now rising as rapidly as it was then running crazy, and rising with a strength and majesty which shew the loveliness of freedom, will make this government in practice, what it is in principle,—a model for the protection of man in a state of *freedom* and *order*. May heaven have in store for your country a restoration of these blessings, and you be destined as the instrument it will use for that purpose. But if this be forbidden by fate, I hope we shall be able to preserve here an asylum where your love of liberty and disinterested patriotism will be for ever protected and honoured, and where you will find in the hearts of the American people, a good portion of that esteem and affection which glow in the bosom of the friend who writes this; and who, with sincere prayers for your health, happiness, and success, and cordial salutations, bids you, for this time, adieu.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, February 26, 1799.

DEAR SIR,

My last to you was of the 19th; it acknowledged yours of the 8th. In mine I informed you of the nomination of Murray. There is evidence that the letter of Talleyrand was known to one of the Secretaries, therefore probably to all; the nomination, however, is declared by one of them to have been kept secret from them all. He added, that he was glad of it, as, had they been consulted, the advice would have been against making the nomination. To the rest of the party, however, the whole was a secret till the nomination was announced. Never did a party shew a stronger mortification, and consequently, that war had been their object. Dana declared in debate (as I have from those who were present) that we had done every thing which might provoke France to war; that we had given her insults which no nation ought to have borne; and yet she would not declare war. The conjecture as to the executive is, that they received Talleyrand's letter before or about the meeting of Congress: that not meaning to meet the overture effectually, they kept it secret, and let all the war measures go on; but that just before the separation of the

Senate, the President, not thinking he could justify the concealing such an overture, nor indeed that it could be concealed, made a nomination, hoping that his friends in the Senate would take on their own shoulders the odium of rejecting it; but they did not choose it. The Hamiltonians would not, and the others could not, alone. The whole artillery of the phalanx, therefore, was played secretly on the President, and he was obliged himself to take a step which should parry the overture while it wears the face of acceding to it. (Mark that I state this as conjecture; but founded on workings and indications which have been under our eyes.) Yesterday, therefore, he sent in a nomination of Oliver Ellsworth, Patrick Henry, and William Vans Murray, Envoys Extraordinary and Ministers Plenipotentiary to the French Republic, but declaring the two former should not leave this country till they should receive from the French Directory assurances that they should be received with the respect due by the law of nations to their character, &c. This, if not impossible, must at least keep off the day, so hateful and so fatal to them, of reconciliation, and leave more time for new projects of provocation. Yesterday witnessed a scandalous scene in the House of Representatives. It was the day for taking up the report of their committee against the alien and sedition laws, &c. They held a caucus, and determined that not a word should be spoken on their side, in answer to any thing which should be said on the other. Gallatin took up the alien, and Nicholas the sedition law; but after a little while of common silence, they began to enter into loud conversations, laugh, cough, &c. so that for the last hour of these gentlemen's speaking, they must have had the lungs of a vendue master to have been heard. Livingston, however, attempted to speak. But after a few sentences, the Speaker called him to order, and told him what he was saying was not to the question. It was impossible to proceed. The question was taken and carried in favour of the report, fifty-two to forty-eight; the real strength of the two parties is fifty-six to fifty. But two of the latter have not attended this session. I send you the report of their committee. I still expect to leave this on the 1st, and be with you on the 7th of March. But it is possible I may not set out till the 4th, and then shall not be with you till the 10th. Affectionately adieu.

TH. JEFFERSON.

TO T. LOMAX.

Monticello, March 12, 1799.

Dear Sir,

Your welcome favour of last month came to my hands in Philadelphia. So long a time has elapsed since we have been separated by events, that it was like a letter from the dead, and recalled to my memory very dear recollections. My subsequent journey through life has offered nothing which, in comparison with those, is not cheerless and dreary. It is a rich comfort sometimes to look back on them.

I take the liberty of inclosing a letter to Mr. Baylor, open, because I solicit your perusal of it. It will, at the same time, furnish the apology for my not answering you from Philadelphia. You ask for any communication I may be able to make, which may administer comfort to you. I can give that which is solid. The spirit of 1776 is not dead. It has only been slumbering. The body of the American people is substantially republican. But their virtuous feelings have been played on by some fact with more fiction; they have been the dupes of artful manœuvres, and made for a moment to be willing instruments in forging chains for themselves. But time and truth have dissipated the delusion, and opened their eyes. They see now that France has sincerely wished peace, and their seducers have wished war, as well for the loaves and fishes which arise out of war expenses, as for the chance of changing the constitution, while the people should have time to contemplate nothing but the levies of men and money. Pennsylvania, Jersey, and New York are coming majestically round to the true principles. In Pennsylvania, thirteen out of twenty-two counties had already petitioned on the alien and sedition laws. Jersey and New York had begun the same movement, and though the rising of Congress stops that channel for the expression of their sentiment, the sentiment is going on rapidly, and before their next meeting those three States will be solidly embodied in sentiment with the six southern and western ones. The atrocious proceedings of France towards this country, had well nigh destroyed its liberties. The Anglomen and monocrats had so artfully confounded the cause of France with that of freedom, that both went down in the same scale. I sincerely join you in abjuring all political connection with every foreign power: and though I cordially wish well to the progress of liberty in all nations, and would for ever give it the weight of our countenance, yet they are not to be touched without contamination from their other bad principles. Commerce with all nations, alliance with none, should be our motto.

Accept assurances of the constant and unaltered affection of,

Dear Sir,

Your sincere friend and servant,

TH. JEFFERSON.

TO EDMUND RANDOLPH.

Monticello, August 18, 1799.

DEAR SIR,

I received only two days ago your favour of the 12th, and as it was on the eve of the return of our post, it was not possible to make so prompt a despatch of the answer. Of all the doctrines which have ever been broached by the federal government, the novel one, of the common law being in force and cognizable as an existing law in their courts, is to me the most formidable. All their other assumptions of ungiven powers have been in the detail. The bank law, the treaty doctrine, the sedition act, alien act, the undertaking to change the state laws of evidence in the state courts by certain parts of the stamp act, &c. &c. have been solitary, unconsequential, timid things, in comparison with the audacious, barefaced, and sweeping pretension to a system of law for the United States, without the adoption of their legislature, and so infinitively beyond their power to adopt. If this assumption be yielded to, the state courts may be shut up, as there will then be nothing to hinder citizens of the same state suing each other in the federal courts in every case, as on a bond for instance, because the common law obliges payment of it, and the common law they say is their law. I am happy you have taken up the subject; and I have carefully perused and considered the notes you inclosed, and find but a single paragraph which I do not approve. It is that wherein (page 2) you say, that laws being emanations from the legislative department, and, when once enacted, continuing in force from a presumption that their will so continues, that that presumption fails, and the laws of course fall, on the destruction of that legislative department. I do not think this is the true bottom on which laws and the administering them rest. The whole body of the nation is the sovereign legislative, judiciary and executive power for itself. The inconvenience of meeting to exercise these powers in person, and their inaptitude to exercise them, induce them to appoint special organs to declare their legislative will, to judge and to execute it. It is the will of the nation which makes the law obligatory; it is their will which creates or annihilates the organ which is to declare and announce it. They may do it by a single person, as an Emperor of Russia (constituting his declarations evidence of their will), or by a few persons, as the aristocracy of Venice, or by a complication of councils, as in our former regal government, or our present republican one. The law being law because it is the will of the nation, is not changed by their changing the organ through which they choose to announce their future will; no more than the acts I have done by one attorney lose their obligation by my changing or discontinuing that attorney. This doctrine has been, in a certain degree, sanctioned by the federal executive. For it is prescisely that on which the continuance of obligation from our treaty with France was established, and the doctrine was particularly developed in a letter to Gouverneur Morris, written with the approbation of President Washington and his cabinet. Mercer once prevailed on the Virginia Assembly to declare a different doctrine in some resolutions. These met universal disapprobation in this, as well as the other States, and, if I mistake not, a subsequent Assembly did something to do away the authority of their former unguarded resolutions. In this case, as in all others, the true principle will be quite as effectual to establish the just deductions. Before the revolution, the nation of Virginia had, by the organs they then thought proper to constitute, established a system of laws, which they divided into three denominations of, 1. common law; 2. statute law; 3. chancery: or, if you please, into two only, of 1. common law; 2. chancery. When, by the Declaration of Independence, they chose to abolish their former organs of declaring their will, the acts of will already formally and constitutionally declared, remained untouched. For the nation was not dissolved, was not annihilated: its will, therefore, remained in full vigour: and on the establishing the new organs, first of a convention, and afterwards a more complicated legislature, the old acts of national will continued in force, until the nation should, by its new organs, declare its will changed. The common law, therefore, which was not in force when we landed here, nor till we had formed ourselves into a nation, and had manifested by the organs we constituted that the common law was to be our law, continued to be our law, because the nation continued in being, and because though it changed the organs for the future declarations of its will, yet it did not change its former declarations that the common law was its law. Apply these principles to the present case. Before the revolution there existed no such nation as the United States: they then first associated as a nation, but for special purposes only. They had all their laws to make, as Virginia had on her first establishment as a nation. But they did not, as Virginia had done, proceed to adopt a whole system of laws ready made to their hand. As their association as a nation was only for special purposes, to wit, for the management of their concerns with one another and with foreign nations, and the States composing the association chose to give it powers for those purposes and no others, they could not adopt any general system, because it would have embraced objects on which this association had no right to form or declare a will. It was not the organ for declaring a national will in these cases. In the cases confided to them, they were free to declare the will of the nation, the law, but till it was declared there could be no law. So that the common law did not become, *ipso facto*, law on the new association; it could only become so by a positive adoption, and so far only as they were authorised to adopt.

I think it will be of great importance, when you come to the proper part, to pourtray at full length the consequences of this new doctrine, that the common law is the law of the United States, and that their courts have, of course, jurisdiction co-extensive with that law, that is to say, general over all cases and persons. But, great heavens! who could have conceived in 1789, that, within ten years, we should have to combat such windmills. Adieu. Yours affectionately.

TH. JEFFERSON.

TO WILSON C. NICHOLAS.

Monticello, September 5, 1799.

DEAR SIR,

Yours of August the 30th came duly to hand. It was with great regret we gave up the hope of seeing you here, but could not but consider the obstacle as legitimate. I had written to Mr. Madison, as I had before informed you, and had stated to him some general ideas for consideration and consultation when we should meet. I thought something essentially necessary to be said, in order to avoid the inference of acquiescence; that a resolution or declaration should be passed, 1. answering the reasonings of such of the States as have ventured into the field of reason, and that of the committee of Congress, taking some notice, too, of those States who have either not answered at all, or answered without reasoning. 2. Making firm protestation against the precedent and principle, and *reserving* the right to make this palpable violation of the federal compact the ground of doing in future whatever we might now rightfully do, should repetitions of these and other violations of the compact render it expedient. 3. Expressing, in affectionate and conciliatory language, our warm attachment to union with our sister States, and to the instrument and principles by which we are united; that we are willing to sacrifice to this every thing but the rights of self-government in those important points which we have never yielded, and in which alone we see liberty, safety, and happiness; that, not at all disposed to make every measure of error or of wrong a cause of scission, we are willing to look on with indulgence, and to wait with patience till those passions and delusions shall have passed over, which the federal government have artfully excited to cover its own abuses and conceal its designs—fully confident, that the good sense of the American people, and their attachment to those very rights which we are now vindicating, will, before it shall be too late, rally with us round the true principles of our federal compact. This was only meant to give a general idea of the complexion and topics of such an instrument. Mr. M. who came, as had been proposed, does not concur in the *reservation* proposed above; and from this I recede readily, not only in deference to his judgment, but because, as we should never think of separation but for repeated and enormous violations, so these, when they occur, will be cause enough of themselves.

To these topics, however, should be added animadversions on the new pretensions to a *common law* of the United States. I proposed to Mr. M. to write to you; but he observed that you knew his sentiments so perfectly, from a former conference, that it was unnecessary. As to the preparing any thing, I must decline it, to avoid suspicions (which were pretty strong in some quarters on the late occasion), and because there remains still, (after their late loss,) a mass of talents in Kentucky sufficient for every purpose. The only object of the present communication is to procure a concert in the general plan of action, as it is extremely desirable that Virginia and Kentucky should pursue the same track on this occasion. Besides, how could you better while away the road from hence to Kentucky, than in meditating this very subject, and preparing something yourself, than whom nobody will do it better. The loss of your brother, and the visit of the Apostle * * * to Kentucky, excite anxiety. However, we doubt not that his poisons will be effectually counterworked. Wishing you a pleasant journey and happy return,

I am, with great and sincere esteem,
Dear Sir,
Your affectionate friend and servant,
TH. JEFFERSON.

TO JAMES MADISON.

Monticello, November 22, 1799.

DEAR SIR,

I have never answered your letter by Mr. Polk, because I expected to have paid you a visit. This has been prevented, by various causes, till yesterday. That being the day fixed for the departure of my daughter Eppes, my horses were ready for me to have set out to see you: an accident postponed her departure to this day, and my visit also. But Colonel Monroe dined with me yesterday, and on my asking his commands for you, he entered into the subject of the visit, and dissuaded it entirely, founding the motives on the *espionage* of the little * * * in * * * *, who would make it a subject of some political slander, and, perhaps, of some political injury. I have yielded to his representations, and therefore shall not have the pleasure of seeing you till my return from Philadelphia. I regret it sincerely, not only on motives of attention, but of affairs. Some late circumstances changing considerably the aspect of our situation, must affect the line of conduct to be observed. I regret it the more, too, because, from the commencement of the ensuing session, I shall trust the post-offices with nothing confidential, persuaded that during the ensuing twelve months they will lend their inquisitorial aid to furnish matter for newspapers. I shall send you, as usual, printed communications, without saying any thing confidential on them. You will, of course, understand the cause.

In your new station, let me recommend to you the jury system; as also the restoration of juries in the court of chancery, which a law not long since repealed, because 'the trial by jury is troublesome and expensive.' If the reason be good, they should abolish it at common law also. If Peter Carr is elected in the room of * * *, he will undertake the proposing this business, and only need your support. If he is not elected, I hope you will get it done otherwise.

My best respects to Mrs. Madison, and affectionate salutations to yourself.

TH. JEFFERSON.

TO COLONEL MONROE.

Philadelphia, January 12, 1800.

DEAR SIR,

Yours of January the 4th was received last night. I had then no opportunity of communicating to you confidentially information of the state of opinions here; but I learn to-night that two Mr. Randolphs will set out to-morrow morning for Richmond: if I can get this into their hands, I shall send it; otherwise it may wait longer. On the subject of election by a general ticket, or by districts, most persons here seem to have made up their minds. All agree that an election by districts would be best, if it could be general; but while ten States choose either by their legislatures or by a general ticket, it is folly, and worse than folly, for the other six not to do it. In these ten States the minority is certainly unrepresented; and their majorities not only have the weight of their whole State in their scale, but have the benefit of so much of our minorities as can succeed at a district election. This is, in fact, insuring to our minorities the appointment of the government. To state it in another form: it is merely a question, whether we will divide the United States into sixteen or one hundred and thirty-seven districts. The latter being more checquered, and representing the people in smaller sections, would be more likely to be an exact representation of their diversified sentiments. But a representation of a part by great, and part by small sections, would give a result very different from what would be the sentiment of the whole people of the United States, were they assembled together. I have to-day had a conversation with * * * *, who has taken a flying trip here from New York. He says they have really now a majority in the House of Representatives; but for want of some skilful person to rally round, they are disjointed, and will lose every question. In the Senate there is a majority of eight or nine against us. But in the new election, which is to come on in April, three or four in the Senate will be changed in our favour; and in the House of Representatives the county elections will still be better than the last: but still, all will depend on the city election, which is of twelve members. At present, there would be no doubt of our carrying our ticket there; nor does there seem to be time for any events arising to change that disposition. There is, therefore, the best prospect possible of a great and decided majority on a joint vote of the two Houses. They are so confident of this, that the republican party there will not consent to elect either by districts or a general ticket. They choose to do it by their legislature. I am told the republicans of New Jersey are equally confident, and equally anxious against an election either by districts or a general ticket. The contest in this State will end in a separation of the present legislature without passing any election law, (and their former one has expired), and in depending on the new one, which will be elected October the 14th, in which the republican majority will be more decided in the Representatives, and instead of a majority of five against us in the Senate, will be of one for us. They will, from the necessity of the case, choose the electors themselves. Perhaps it will be thought I ought in delicacy to be silent on this subject. But you, who know me, know that my private gratifications would be most indulged by that issue which should leave me most at home. If any thing supersedes this propensity, it is merely the desire to see this government brought back to its republican principles. Consider this as written to Mr. Madison as much as yourself; and communicate it, if you think it will do any good, to those possessing our joint confidence, or any others where it may be useful and safe.

Health and affectionate salutations.

TH. JEFFERSON.

TO SAMUEL ADAMS.

Philadelphia, February 26, 1800.

DEAR SIR,

Mr. Erving delivered me your favour of January 31st, and I thank you for making me acquainted with him. You will always do me a favour in giving me an opportunity of knowing gentlemen as estimable in their principles and talents, as I find Mr. Erving to be. I have not yet seen Mr. Winthrop.

A letter from you, my respectable friend, after three and twenty years of separation, has given me a pleasure I cannot express. It recalls to my mind the anxious days we then passed in struggling for the cause of mankind. Your principles have been tested in the crucible of time, and have come out pure. You have proved that it was monarchy, and not merely British monarchy, you opposed. A government by representatives, elected by the people at *short* periods, was our object; and our maxim at that day was, 'where annual election ends, tyranny begins;' nor have our departures from it been sanctioned by the happiness of their effects. A debt of an hundred millions, growing by usurious interest, and an artificial paper phalanx overruling the agricultural mass of our country, with other *et cœteras*, have a portentous aspect.

I fear our friends on the other side the water, labouring in the same cause, have yet a great deal of crime and of misery to wade through. My confidence had been placed in the head, not in the heart of Buonaparte. I hoped he would calculate truly the difference between the fame of a Washington and a Cromwell. Whatever his views may be, he has at least transferred the destinies of the republic from the civil to the military arm. Some will use this as a lesson against the practicability of republican government. I read it as a lesson against the danger of standing armies.

Adieu, my ever respected and venerable friend. May that kind overruling Providence which has so long spared you to our country, still foster your remaining years with whatever may make them comfortable to yourself and soothing to your friends.

Accept the cordial salutations of your affectionate friend,

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, March 4, 1800.

DEAR SIR,

I have never written to you since my arrival here, for reasons which were explained. Yours of December the 29th, January the 4th, 9th, 12th, 18th, and February the 14th, have therefore remained unacknowledged. I have at different times inclosed to you such papers as seemed interesting. To day I forward Bingham's amendment to the election bill formerly inclosed to you, Mr. Pinckney's proposed amendment to the constitution, and the report of the Ways and Means. Bingham's amendment was lost by the usual majority of two to one. A very different one will be proposed, containing the true sense of the minority, viz. that the two Houses, voting by heads, shall decide such questions as the constitution authorizes to be raised. This may probably be taken up in the other House under better auspices, for though the federalists have a great majority there, yet they are of a more moderate temper than for some time past. The Senate, however, seem determined to yield to nothing which shall give the other House greater weight in the decision on elections than they have.

Mr. Pinckney's motion has been supported, and is likely to have some votes which were not expected. I rather believe he will withdraw it, and propose the same thing in the form of a bill; it being the opinion of some that such a regulation is not against the present constitution. In this form it will stand a better chance to pass, as a majority only in both Houses will be necessary. By putting off the building the seventy-fours and stopping enlistments, the loan will be reduced to three and a half millions. But I think it cannot be obtained. For though no new bankruptcies have happened here for some weeks, or in New York, yet they continue to happen in Baltimore, and the whole commercial race are lying on their oars, and gathering in their affairs, not knowing what new failures may put their resources to the proof. In this state of things they cannot lend money. Some foreigners have taken asylum among us, with a good deal of money, who may perhaps choose that deposit. Robbin's affair has been under agitation for some days. Livingston made an able speech of two and a half hours yesterday. The advocates of the measure feel its pressure heavily; and though they may be able to repel Livingston's motion of censure, I do not believe they can carry Bayard's of approbation. The landing of our Envoys at Lisbon will risk a very dangerous consequence, insomuch as the news of Truxton's aggression will perhaps arrive at Paris before our commissioners will. Had they gone directly there, they might have been two months ahead of that news. We are entirely without further information from Paris. By letters from Bordeaux, of December the 7th, tobacco was then from twenty-five to twenty-seven dollars per hundred. Yet did Marshall maintain on the non-intercourse bill, that its price at other markets had never been affected by that law. While the navigating and provision States, who are the majority, can keep open all the markets, or at least sufficient ones for their objects, the cries of the tobacco makers, who are the minority, and not at all in favour, will hardly be listened to. It is truly the fable of the monkey pulling the nuts out of the fire with the cat's paw; and it shews that G. Mason's proposition in the convention was wise, that on laws regulating commerce, two-thirds of the votes should be requisite to pass them. However, it would have been trampled under foot by a triumphant majority.

March 8. My letter has lain by me till now, waiting Mr. Trist's departure. The question has been decided to-day on Livingston's motion respecting Robbins; thirty-five for it, about sixty against it. Livingston, Nicholas, and Gallatin distinguished themselves on one side, and J. Marshall greatly on the other. Still it is believed they will not push Bayard's motion of approbation. We have this day also decided in Senate on the motion for overhauling the editor of the Aurora. It was carried, as usual, by about two to one; H. Marshall voting of course with them, as did, and frequently does, * * * of * * * , who is perfectly at market. It happens that the other party are so strong, that they do not think either him or * * * worth buying. As the conveyance is confidential, I can say something on a subject, which, to those who do not know my real dispositions respecting it, might seem indelicate. The federalists begin to be very seriously alarmed about their election next fall. Their speeches in private, as well as their public and private demeanour to me, indicate it strongly. This seems to be the prospect. Keep out Pennsylvania, Jersey, and New York, and the rest of the States are about equally divided; and in this estimate it is supposed that North Carolina and Maryland added together are equally divided. Then the event depends on the three middle States before mentioned. As to them, Pennsylvania passes no law for an election at the present session. They confide that the next election gives a decided majority in the two Houses when joined together. McKean, therefore, intends to call the legislature to meet immediately after the new election, to appoint electors themselves. Still you will be sensible there may arise a difficulty between the two Houses about voting by heads or by Houses. The republican members here from Jersey are entirely confident that their two Houses, joined together, have a majority of republicans; their Council being republican by six or eight votes, and the lower House federal by only one or two; and they have no doubt the approaching election will be in favour of the republicans. They appoint electors by the two Houses voting together. In New York all depends on the success of the city election, which is of twelve members, and of course makes a difference of twenty-four, which is sufficient to make the two Houses, joined together, republican in their vote. Governor Clinton, General Gates, and some other old revolutionary characters, have been put on the republican ticket. Burr, Livingston, &c. entertain no doubt on the event of that election. Still these are the ideas of the republicans only in these three States, and we must make great allowance for their sanguine views. Upon the whole, I consider it as rather more doubtful than the last election, in which I was not deceived in more than a vote or two. If Pennsylvania votes, then, either Jersey or New York giving a republican vote, decides the election. If Pennsylvania does not vote, then New York determines the election. In any event, we may say that, if the *city* election of New York is in favour of the republican ticket, the issue will be republican; if the federal ticket for the city of New York prevails, the probabilities will be in favour of a federal issue, because it would then require a republican vote both from Jersey and Pennsylvania to preponderate against New York, on which we could not count with any confidence. The election of New York being in April, it becomes an early and interesting object. It is probable the landing of our Envoys in Lisbon will add a month to our session; because all that the eastern men are anxious about, is to get away before the possibility of a treaty's coming in upon us.

Present my respectful salutations to Mrs. Madison, and be assured of my constant and affectionate esteem.

TH. JEFFERSON.

TO JAMES MADISON.

Philadelphia, May 12, 1800.

DEAR SIR,

Congress will rise to-day or to-morrow. Mr. Nicholas proposing to call on you, you will get from him the Congressional news. On the whole, the federalists have not been able to carry a single strong measure in the lower House the whole session. When they met, it was believed they had a majority of twenty; but many of these were new and moderate men, and soon saw the true character of the party, to which they had been well disposed while at a distance. The tide, too, of public opinion sets so strongly against the federal proceedings, that this melted off their majority, and dismayed the heroes of the party. The Senate alone remained undismayed to the last. Firm to their purposes, regardless of public opinion, and more disposed to coerce than to court it, not a man of their majority gave way in the least; and on the election bill, they *adhered* to John Marshall's amendment, by their whole number; and if there had been a full Senate, there would have been but eleven votes against it, which include H. Marshall, who has voted with the republicans this session. * * * *

* * * * * * *

Accept assurances of constant and affectionate esteem to Mrs. Madison and yourself, from,

Dear Sir,
Your sincere friend and servant,
Th. Jefferson.

TO GIDEON GRANGER.

Monticello, August 13, 1800.

Dear Sir,

I received with great pleasure your favour of June the 4th, and am much comforted by the appearance of a change of opinion in your State; for though we may obtain, and I believe shall obtain, a majority in the legislature of the United States, attached to the preservation of the federal constitution, according to its obvious principles, and those on which it was known to be received; attached equally to the preservation to the States of those rights unquestionably remaining with them; friends to the freedom of religion, freedom of the press, trial by jury, and to economical government; opposed to standing armies, paper systems, war, and all connection, other than commerce, with any foreign nation; in short, a majority firm in all those principles which we have espoused, and the federalists have opposed uniformly; still, should the whole body of New England continue in opposition to these principles of government, either knowingly or through delusion, our government will be a very uneasy one. It can never be harmonious and solid, while so respectable a portion of its citizens support principles which go directly to a change of the federal constitution, to sink the State governments, consolidate them into one, and to monarchise that. Our country is too large to have all its affairs directed by a single government. Public servants, at such a distance, and from under the eye of their constituents, must, from the circumstance of distance, be unable to administer and overlook all the details necessary for the good government of the citizens: and the same circumstance, by rendering detection impossible to their constituents, will invite the public agents to corruption, plunder, and waste. And I do verily believe, that if the principle were to prevail, of a common law being in force in the United States, (which principle possesses the General Government at once of all the powers of the State governments, and reduces us to a single consolidated government) it would become the most corrupt government on the earth. You have seen the practices by which the public servants have been able to cover their conduct, or, where that could not be done, delusions by which they have varnished it for the eye of their constituents. What an augmentation of the field for jobbing, speculating, plundering, office building, and office hunting, would be produced by an assumption of all the State powers into the hands of the General Government! The true theory of our constitution is surely the wisest and best, that the States are independent as to every thing within themselves, and united as to every thing respecting foreign nations. Let the General Government be reduced to foreign concerns only, and let our affairs be disentangled from those of all other nations, except as to commerce, which the merchants will manage the better the more they are left free to manage for themselves, and our General Government may be reduced to a very simple organization, and a very unexpensive one; a few plain duties to be performed by a few servants. But I repeat, that this simple and economical mode of government can never be secured, if the New England States continue to support the contrary system. I rejoice, therefore, in every appearance of their returning to those principles which I had always imagined to be almost innate in them. In this State, a few persons were deluded by the X. Y. Z. duperies. You saw the effect of it in our last Congressional Representatives, chosen under their influence. This experiment on their credulity is now seen into, and our next representation will be as republican as it has heretofore been. On the whole, we hope, that by a part of the Union having held on to the principles of the constitution, time has been given to the States to recover from the temporary phrenzy into which they had been decoyed, to rally round the constitution, and to rescue it from the destruction with which it had been threatened even at their own hands. I see, copied from the American Magazine, two numbers of a paper signed Don Quixote, most excellently adapted to introduce the real truth to the minds even of the most prejudiced.

I would, with great pleasure, have written the letter you desired in behalf of your friend, but there are existing circumstances which render a letter from me to that magistrate as improper as it would be unavailing. I shall be happy, on some more fortunate occasion, to prove to you my desire of serving your wishes.

I sometime ago received a letter from a Mr. M'Gregory of Derby, in your state: it is written with such a degree of good sense and appearance of candour, as entitles it to an answer. Yet the writer being entirely unknown to me, and the stratagems of the times very multifarious, I have thought it best to avail myself of your friendship, and inclose the answer to you. You will see its nature. If you find, from the character of the person to whom it is addressed, that no improper use would probably be made of it, be so good as to seal and send it. Otherwise suppress it.

How will the vote of your State and Rhode Island be as to A. and P.?

I am, with great and sincere esteem,

Dear Sir,

Your friend and servant,

TH. JEFFERSON.

TO URIAH M'GREGORY.

Monticello, August 13, 1800.

SIR,

Your favour of July the 19th has been received, and received with the tribute of respect due to a person, who, unurged by motives of personal friendship or acquaintance, and unaided by particular information, will so far exercise his justice as to advert to the proofs of approbation given a public character by his own State and by the United States, and weigh them in the scale against the fatherless calumnies he hears uttered against him. These public acts are known even to those who know nothing of my private life, and surely are better evidence to a mind disposed to truth, than slanders which no man will affirm on his own knowledge, or ever saw one who would. From the moment that a portion of my fellow citizens looked towards me with a view to one of their highest offices, the floodgates of calumny have been opened upon me; not where

s with actions for these slanders, and have ruined perhaps
persons who are not innocent. But this would be no
alent to the loss of character. I leave them, therefore,
reproof of their own consciences. If these do not con-
them, there will yet come a day when the false witness
neet a judge who has not slept over his slanders. If the
end Cotton Mather Smith, of Shena, believed this as
as I do, he would surely never have affirmed that 'I
btained my property by fraud and robbery; that in one
ice, I had defrauded and robbed a widow and fatherless
ren of an estate to which I was executor, of ten thousand
ds sterling, by keeping the property and paying them in
y at the nominal rate, when it was worth no more than
for one: and that all this could be proved.' Every tittle
is fable; there not having existed a single circumstance
y life to which any part of it can hang. I never was
itor but in two instances, both of which having taken
about the beginning of the revolution, which withdrew
nmediately from all private pursuits, I never meddled in
executorship. In one of the cases only, were there a
w and children. She was my sister. She retained and
ged the estate in her own hands, and no part of it was
in mine. In the other, I was a coparcener, and only
ved on a division the equal portion allotted me. To
er of these executorships therefore, could Mr. Smith
. Again, my property is all patrimonial except about
or eight hundred pounds' worth of lands, purchased by
lf and paid for, not to widows and orphans, but to the
gentleman from whom I purchased. If Mr. Smith,
fore, thinks the precepts of the gospel intended for those

them. I only pray that my letter may not go out of your own hands, lest it should get into the newspapers, a bear-garden scene into which I have made it a point to enter on no provocation.

I am, Sir,
Your most obedient humble servant,
TH. JEFFERSON.

TO DOCTOR RUSH.

Monticello, September 23, 1800.

DEAR SIR,

I have to acknowledge the receipt of your favour of August the 22nd, and to congratulate you on the healthiness of your city. Still Baltimore, Norfolk, and Providence admonish us that we are not clear of our new scourge. When great evils happen, I am in the habit of looking out for what good may arise from them as consolations to us, and Providence has in fact so established the order of things, as that most evils are the means of producing some good. The yellow fever will discourage the growth of great cities in our nation, and I view great cities as pestilential to the morals, the health, and the liberties of man. True, they nourish some of the elegant arts, but the useful ones can thrive elsewhere, and less perfection in the others, with more health, virtue, and freedom, would be my choice.

I agree with you entirely, in condemning the mania of giving names to objects of any kind after persons still living. Death alone can seal the title of any man to this honour, by putting it out of his power to forfeit it. There is one other mode of recording merit, which I have often thought might be introduced, so as to gratify the living by praising the dead. In giving, for instance, a commission of Chief Justice to Bushrod Washington, it should be in consideration of his integrity, and science in the laws, and of the services rendered to our country by his illustrious relation, &c. A commission to a descendant of Dr. Franklin, besides being in consideration of the proper qualifications of the person, should add, that of the great services rendered by his illustrious ancestor, Benjamin Franklin, by the advancement of science, by inventions useful to man, &c. I am not sure that we ought to change all our names. And during the regal government, sometimes indeed, they were given through adulation; but often also as the reward of the merit of the times, sometimes for services rendered the colony. Perhaps, too, a name, when given, should be deemed a sacred property.

I promised you a letter on Christianity, which I have not forgotten. On the contrary, it is because I have reflected on it, that I find much more time necessary for it than I can at present dispose of. I have a view of the subject which ought to displease neither the rational Christian nor Deist, and would reconcile many to a character they have too hastily rejected. I do not know that it would reconcile the *genus irritabile vatum*, who are all in arms against me. Their hostility is on too interesting ground to be softened. The delusion into which the X. Y. Z. plot shewed it possible to push the people; the successful experiment, made under the prevalence of that delusion, on the clause of the constitution, which, while it secured the freedom of the press, covered also the freedom of religion, had given to the clergy a very favourite hope of obtaining an establishment of a particular form of Christianity through the United States; and as every sect believes its own form the true one, every one, perhaps, hoped for his own, but especially the Episcopalians and Congregationalists. The returning good sense of our country threatens abortion to their hopes; and they believe that any portion of power confided to me, will be exerted in opposition to their schemes. And they believe rightly: for I have sworn, upon the altar of God, eternal hostility against every form of tyranny over the mind of man. But this is all they have to fear from me: and enough too in their opinion. And this is the cause of their printing lying pamphlets against me, forging conversations for me with Mazzei, Bishop Madison, &c., which are absolute falsehoods, without a circumstance of truth to rest on; falsehoods, too, of which I acquit Mazzei and Bishop Madison, for they are men of truth.

But enough of this: it is more than I have before committed to paper on the subject of all the lies which have been preached and printed against me. I have not seen the work of Sonnini which you mention; but I have seen another work on Africa, Parke's, which I fear will throw cold water on the hopes of the friends of freedom. You will hear an account of an attempt at insurrection in this State. I am looking with anxiety to see what will be its effect on our State. We are truly to be pitied. I fear we have little chance to see you at the federal city, or in Virginia, and as little at Philadelphia.

It would be a great treat to receive you here. But nothing but sickness could effect that; so I do not wish it. For I wish you health and happiness, and think of you with affection. Adieu.

TH. JEFFERSON.

TO ROBERT R. LIVINGSTON.

Washington, December 14, 1800.

DEAR SIR,

Your former communications on the subject of the steam engine, I took the liberty of laying before the American Philosophical Society, by whom they will be printed in their volume of the present year. I have heard of the discovery of some large bones, supposed to be of the mammoth, at about thirty or forty miles distance from you: and among the bones found, are said to be some which we have never yet been able to procure. The first interesting question is, whether they are the bones of the mammoth? The second, what are the particular bones, and could I possibly procure them? The bones I am most anxious to obtain are those of the head and feet, which are said to be among those found in your State, as also the ossa innominata and the scapula. Others would also be interesting, though similar ones may be possessed, because they would shew, by their similarity, that the set belong to the mammoth. Could I so far venture to trouble you on this subject, as to engage some of your friends, near the place, to procure for me the bones above mentioned? If they are to be bought, I will gladly pay for them whatever you shall agree to as reasonable; and will place the money in New York as instantaneously after it is made known to me, as the post can carry it, as I will all expenses of package, transportation, &c. to New York and Philadelphia, where they may be addressed to John Barnes, whose agent (he not being on the spot) will take care of them for me.

But I have still a more important subject whereon to address you. Though our information of the votes of the several States be not official, yet they are stated on such evidence as to satisfy both parties that the republican vote has been successful. We may, therefore, venture to hazard propositions on that hypothesis without being justly subjected to raillery or ridicule. The constitution, to which we are all attached, was meant to be republican, and we believe to be republican according to every candid interpretation. Yet we have seen it so interpreted and administered, as to be truly what the French have called it, a *monarchie masqué*. Yet so long has the vessel run on this way and been trimmed to it, that to put her on her republican tack will require all the skill, the firmness, and the zeal of her ablest and best friends. It is a crisis which calls on them to sacrifice all other objects, and repair to her aid in this momentous operation. Not only their skill is wanting, but their names also. It is essential to assemble, in the outset, persons to compose our administration, whose talents, integrity, and revolutionary name and principles may inspire the nation, at once, with unbounded confidence, and impose an awful silence on all the maligners of republicanism; as may suppress in embryo the purpose avowed by one of their most daring and effective chiefs, of beating down the administration. These names do not abound at this day. So few are they, that yours, my friend, cannot be spared among them without leaving a blank which cannot be filled. If I can obtain for the public the aid of those I have contemplated, I fear nothing. If this cannot be done, then are we unfortunate indeed! We shall be unable to realize the prospects which have been held out to the people, and we must fall back into monarchism, for want of heads, not hands, to help us out of it. This is a common cause, my dear Sir, common to all republicans. Though I have been too honourably placed in front of those who are to enter the breach so happily made, yet the energies of every individual are necessary, and in the very place where his energies can most serve the enterprize. I can assure you, that your colleagues will be most acceptable to you; one of them, whom you cannot mistake, peculiarly so. The part which circumstances constrain us to propose to you is, the secretaryship of the navy. These circumstances cannot be explained by letter. Republicanism is so rare in those parts which possess nautical skill, that I cannot find it allied there to the other qualifications. Though you are not nautical by profession, yet your residence and your mechanical science qualify you as well as a gentleman can possibly be, and sufficiently to enable you to choose under-agents perfectly qualified, and to superintend their conduct. Come forward, then, my dear Sir, and give us the aid of your talents and the weight of your character towards the new establishment of republicanism: I say, for its new establishment; for hitherto, we have seen only its travestie. I have urged thus far, on the belief that your present office would not be an obstacle to this proposition. I was informed, and I think it was by your brother, that you wished to retire from it, and were only restrained by the fear that a successor of different principles might be appointed. The late change in your council of appointment will remove this fear. It will not be improper to say a word on the subject of expense. The gentlemen who composed General Washington's first administration, took up, too universally, a practice of general entertainment, which was unnecessary, obstructive of business, and so oppressive to themselves, that it was among the motives for their retirement. Their successors profited from the experiment, and lived altogether as private individuals, and so have ever continued to do. Here, indeed, it cannot be otherwise, our situation being so rural, that during the vacations of the legislature we shall have no society but of the officers of government, and in time of sessions the legislature is become and becoming so numerous, that for the last half dozen years nobody but the President has pretended to entertain them. I have been led to make the application before official knowledge of the result of our election, because the return of Mr. Van Benthuysen, one of your electors and neighbours, offers me a safe conveyance, at a moment when the post-offices will be peculiarly suspicious and prying. Your answer may come by post without danger, if directed in some other handwriting than your own; and I will pray you to give me an answer as soon as you can make up your mind.

Accept assurances of cordial esteem and respect, and my friendly salutations.

Th. Jefferson.

TO COLONEL BURR.

Washington, December 15, 1800.

Dear Sir,

Although we have not official information of the votes for President and Vice President, and cannot have until the first week in February, yet the state of the votes is given on such evidence, as satisfies both parties that the two republican candidates stand highest. From South Carolina we have not even heard of the actual vote; but we have learned who were appointed electors, and with sufficient certainty how they would vote. It is said they would withdraw from yourself one vote. It has also been said that a General Smith, of Tennessee, had declared he would give his second vote to Mr. Gallatin, not from any indisposition towards you, but extreme reverence to the character of Mr. Gallatin. It is also surmised that the vote of Georgia will not be entire. Yet nobody pretends to know these things of a certainty, and we know enough to be certain that what it is surmised will be withheld, will still leave you four or five votes at least above Mr. Adams. However, it was badly managed not to have arranged with certainty what seems to have been left to hazard. It was the more material, because I understand several of the high-flying federalists have expressed their hope that the two republican tickets may be equal, and their determination in that case to prevent a choice by the House of Representatives (which they are strong enough to do), and let the government devolve on a President of the Senate. Decency required that I should be so entirely passive during the late contest, that I never once asked whether arrangements had been made to prevent so many from dropping votes intentionally, as might frustrate half the republican wish; nor did I doubt, till lately, that such had been made.

While I must congratulate you, my dear Sir, on the issue of this contest, because it is more honourable, and doubtless more grateful to you than any station within the competence of the chief magistrate, yet, for myself, and for the substantial service of the public, I feel most sensibly the loss we sustain of your aid in our new administration. It leaves a chasm in my arrangements, which cannot be adequately filled up. I had endeavoured to compose an administration whose talents, integrity, names, and dispositions, should at once inspire unbounded confidence in the public mind, and insure a perfect harmony in the conduct of the public business. I lose you from the list, and am not sure of all the others. Should the gentlemen who possess the public confidence decline taking a part in their affairs, and force us to take persons unknown to the people, the evil genius of this country may realise his avowal that 'he will beat down the administration.' The return of Mr. Van Benthuysen, one of your electors, furnishes me a confidential opportunity of writing this much to you, which I should not have ventured through the post office at this prying season. We shall of course see you before the fourth of March.

Accept my respectful and affectionate salutations.

TH. JEFFERSON

TO JUDGE BRECKENRIDGE.

Washington, December 18, 1800.

Dear Sir,

I received, while at home, the letter you were so kind as to write me. The employments of the country have such irresistible attractions for me, that while I am at home I am not very punctual in acknowledging the letters of my friends. Having no refuge here from my room and writing table, it is my regular season for fetching up the leeway of my correspondence.

Before you receive this, you will have understood that the State of South Carolina (the only one about which there was uncertainty) has given a republican vote, and saved us from the consequences of the annihilation of Pennsylvania. But we are brought into dilemma by the probable equality of the two republican candidates. The federalists in Congress mean to take advantage of this, and either to prevent an election altogether, or reverse what has been understood to have been the wishes of the people as to the President and Vice President; wishes which the constitution did not permit them specially to designate. The latter alternative still gives us a republican administration. The former, a suspension of the federal government, for want of a head. This opens to us an abyss at which every sincere patriot must shudder. General Davie has arrived here with the treaty formed (under the name of a convention) with France. It is now before the Senate for ratification, and will encounter objections. He believes firmly that a continental peace in Europe will take place, and that England also may be comprehended.

Accept assurances of the great respect of,
Dear Sir,
Your most obedient servant,
Th. Jefferson.

TO JAMES MADISON.

Washington, December 19, 1800.

Dear Sir,

s. Brown's departure for Virginia enables me to write
lentially what I could not have ventured by the post at
rying season. The election in South Carolina has in
measure decided the great contest. Though as yet we
t know the actual votes of Tennessee, Kentucky, and Ver-
yet we believe the votes to be on the whole, J. seventy-
B. seventy-three, A. sixty-five, P. sixty-four. Rhode Island
rew one from P. There is a possibility that Tennessee may
raw one from B., and Burr writes that there may be one
n Vermont for J. But I hold the latter impossible, and the
r not probable; and that there will be an absolute parity
en the two republican candidates. This has produced
dismay and gloom on the republican gentlemen here,
xultation in the federalists, who openly declare they will
nt an election, and will name a President of the Senate,
m. by what they say would only be a *stretch* of the con-
ion. The prospect of preventing this, is as follows.
gia, North Carolina, Tennessee, Kentucky, Vermont,
sylvania, and New York, can be counted on for their
n the House of Representatives, and it is thought by
that Baer of Maryland, and Linn, of New Jersey, will
over. Some even count on Morris of Vermont. But
must know the uncertainty of such a dependence under
peration of caucuses and other federal engines. The
h of February, therefore, will present us storms of a new
cter. Should they have a particular issue, I hope you
be here a day or two, at least, before the 4th of March.
w that your appearance on the scene before the departure
ngress, would assuage the minority, and inspire in the
ity confidence and joy unbounded, which they would
d far and wide on their journey home. Let me beseech
then to come with a view of staying perhaps a couple
eks, within which time things might be put into such a
as would permit us both to go home for a short time,
emoval. I wrote to R. R. L. by a confidential hand
days ago. The person proposed for the Treasury has
ome yet.

vie is here with the convention, as it is called; but it is a real treaty, and without limitation of time. It has some disagreeable features, and will endanger the compromitting us with Great Britain. I am not at liberty to mention its contents: but I believe it will meet with opposition from both sides of the House. It has been a bungling negotiation. Ellsworth remains in France for his health. He has resigned his office of Chief Justice. Putting these two things together, we cannot misconstrue his views. He must have had great confidence in Mr. Adams's continuance, to risk such a certainty as he held. Jay was yesterday nominated Chief Justice. We were afraid of something worse. A scheme of government for the territory is cooking by a committee of each House, under separate authorities, but probably a voluntary harmony. They let out no hints. It is believed that the judiciary system will not be pushed, as the appointments, if made by the present administration, could not fall on those who create them. But I very much fear the road system will be urged. The mines of Peru would not supply the monies which would be wasted on this object, nor the patience of any people stand the abuses which would be incontrolably committed under it. I propose, as soon as the state of the election is perfectly ascertained, to aim at a candid understanding with Mr. Adams. I do not expect that either his feelings or his views of interest will oppose it. I hope to induce in him dispositions liberal and accommodating.

Accept my affectionate salutations.

TH. JEFFERSON.

TO JAMES MADISON.

Washington, December 26, 1800.

DEAR SIR,

All the votes have now come in, except of Vermont and Kentucky, and there is no doubt that the result is a perfect parity between the two republican characters. The federalists appear determined to prevent an election, and to pass a bill giving the government to Mr. Jay, appointed Chief Justice, or to Marshall, as Secretary of State. Yet I am rather of opinion that Maryland and Jersey will give the seven republican majorities. The French treaty will be violently opposed by the federalists; the giving up the vessels is the article they cannot swallow. They have got their judiciary bill forwarded to commitment. I dread this above all the measures meditated, because appointments in the nature of freehold render it difficult to undo what is done. We expect a report for a territorial government which is to pay little respect to the rights of man.

* * * * * *

Cordial and affectionate salutations. Adieu.

TH. JEFFERSON.

TO COLONEL BURR.

Washington, February 1, 1801.

DEAR SIR,

It was to be expected that the enemy would endeavour to sow tares between us, that they might divide us and our friends. Every consideration satisfies me you will be on your guard against this, as I assure you I am strongly. I hear of one stratagem so imposing and so base that it is proper I should notice it to you. Mr. Munford, who is here, says he saw at New York, before he left it, an original letter of mine to Judge Breckenridge, in which are sentiments highly injurious to you. He knows my handwriting, and did not doubt that to be genuine. I inclose you a copy, taken from the press copy, of the only letter I ever wrote to Judge Breckenridge in my life: the press copy itself has been shown to several of our mutual friends here. Of consequence the letter seen by Mr. Munford must be a forgery, and if it contains a sentiment unfriendly or disrespectful to you, I affirm it solemnly to be a forgery; as also if it varies from the copy inclosed. With the common trash of slander I should not think of troubling you: but the forgery of one's handwriting is too imposing to be neglected. A mutual knowledge of each other furnishes us with the best test of the contrivances which will be practised by the enemies of both.

Accept assurances of my high respect and esteem.

TH. JEFFERSON.

TO GOVERNOR M'KEAN.

Washington, February 2, 1801.

DEAR SIR,

I have long waited for an opportunity to acknowledge the receipt of your favour of December the 15th, as well as that by Dr. Mendenhall. None occurring, I shall either deliver the present to General Muhlenburg, or put it under cover to Doctor Wistar, to whom I happen to be writing, to be sent to your house in Philadelphia, or forwarded confidentially to Lancaster.

The event of the election is still *in dubio*. A strong portion in the House of Representatives will prevent an election if they can. I rather believe they will not be able to do it, as there are six individuals of moderate character, any one of whom coming over to the republican vote will make a ninth State. Till this is known, it is too soon for me to say what should be done in such atrocious cases as those you mention of federal officers obstructing the operation of the State governments. One thing I will say, that as to the future, interferences with elections, whether of the State or General Government, by officers of the latter, should be deemed cause of removal; because the constitutional remedy by the elective principle becomes nothing, if it may be smothered by the enormous patronage of the General Government. How far it may be practicable, prudent, or proper, to look back, is too great a question to be decided but by the united wisdom of the whole administration when formed. Our situation is so different from yours, that it may render proper some differences in the practice. Your State is a single body, the majority clearly one way. Ours is of sixteen integral parts, some of them all one way, some all the other, some divided. Whatever may be decided as to the past, they shall give no trouble to the State Governments in future, if it shall depend on me; and be assured, particularly as to yourself, that I should consider the most perfect harmony and interchange of accommodations and good offices with those governments as among the first objects.

Accept assurances of my high consideration, respect, and esteem.

TH. JEFFERSON.

TO TENCH COXE.

Washington, February 11, 1801.

DEAR SIR,

Your favour of January the 25th came to hand some days ago, and yesterday a gentleman put into my hand, at the door of the Senate chamber, the volume of the American Museum for 1798. As no letter accompanied it, I took it for granted it was to bring under my eye some of its contents. I have gone over it with satisfaction.

This is the morning of the election by the House of Representatives. For some time past a single individual had declared he would by his vote make up the ninth State. On Saturday last he changed, and it stands at present eight one way, six the other, and two divided. Which of the two will be elected, and whether either, I deem perfectly problematical: and my mind has long been equally made up for either of the three events. If I can find out the person who brought me the volume from you, I shall return it by him, because I presume it makes one of a set. If not by him, I will find some other person who may convey it to Philadelphia, if not to Lancaster. Very possibly it may go by a different conveyance from this letter. Very probably you will learn before the receipt of either, the result, or progress at least, of the election. We see already at the threshold, that if it falls on me, I shall be embarrassed by finding the offices vacant, which cannot be even temporarily filled but with advice of Senate, and that body is called on the fourth of March, when it is impossible for the new members of Kentucky, Georgia, and South Carolina to receive notice in time to be here. The summons for Kentucky, dated, as all were, January the 31st, could not go hence till the 5th, and that for Georgia did not go till the 6th. If the difficulties of the election, therefore, are got over, there are more and more behind, until new elections shall have regenerated the constituted authorities. The defects of our constitution, under circumstances like the present, appear very great.

Accept assurances of the esteem and respect of,

Dear Sir,

Your most obedient servant,

TH. JEFFERSON.

TO JAMES MONROE.

Washington, February 15, 1801.

Dear Sir,

I have received several letters from you which have not been acknowledged. By the post I dare not, and one or two confidential opportunities have passed me by surprise. I have regretted it the less, because I know you could be more safely and fully informed by others. Mr. Tyler, the bearer of this, will give you a great deal more information personally than can be done by letter. Four days of balloting have produced not a single change of a vote. Yet it is confidently believed by most that to-morrow there is to be a coalition. I know of no foundation for this belief. However, as Mr. Tyler waits the event of it, he will communicate it to you. If they could have been permitted to pass a law for putting the government into the hands of an officer, they would certainly have prevented an election. But we thought it best to declare openly and firmly, one and all, that the day such an act passed, the middle States would arm, and that no such usurpation, even for a single day, should be submitted to. This first shook them; and they were completely alarmed at the resource for which we declared, to wit, a convention to re-organise the government, and to amend it. The very word convention gives them the horrors, as in the present democratical spirit of America, they fear they should lose some of the favourite morsels of the constitution. Many attempts have been made to obtain terms and promises from me. I have declared to them unequivocally, that I would not receive the government on capitulation, that I would not go into it with my hands tied. Should they yield the election, I have reason to expect in the outset the greatest difficulties as to nominations. The late incumbents running away from their offices and leaving them vacant, will prevent my filling them without the *previous* advice of Senate. How this difficulty is to be got over I know not.

Accept for Mrs. Monroe and yourself my affectionate salutations. Adieu.

Th. Jefferson.

TO JAMES MADISON.

Washington, February 18, 1801.

Dear Sir,

Notwithstanding the suspected infidelity of the post, I must hazard this communication. The minority in the House of Representatives, after seeing the impossibility of electing Burr, the certainty that a legislative usurpation would be resisted by arms, and a recourse to a convention to re-organise and amend the government, held a consultation on this dilemma, whether it would be better for them to come over in a body, and go with the tide of the times, or, by a negative conduct, suffer the election to be made by a bare majority, keeping their body entire and unbroken, to act in phalanx on such ground of opposition as circumstances shall offer: and I know their determination on this question only by their vote of yesterday. Morris of Vermont withdrew, which made Lyon's vote that of his State. The Maryland federalists put in four blanks, which made the positive ticket of their colleagues the vote of the State. South Carolina and Delaware put in six blanks. So there were ten States for one candidate, four for another, and two blanks. We consider this, therefore, as a declaration of war, on the part of this band. But their conduct appears to have brought over to us the whole body of federalists, who, being alarmed with the danger of a dissolution of the government, had been made most anxiously to wish the very administration they had opposed, and to view it when obtained as a child of their own. * * * *

* * Mr. A. embarrasses us. He keeps the offices of State and War vacant, but has named Bayard Minister Plenipotentiary to France, and has called an unorganized Senate to meet the fourth of March. As you do not like to be here on that day, I wish you would come within a day or two after. I think that between that and the middle of the month we can so far put things under way, as that we may go home to make arrangements for our final removal. Come to Conrad's, where I will bespeak lodgings for you. Yesterday Mr. A. nominated Bayard to be Minister Plenipotentiary of the United States to the French republic; to day, Theophilus Parsons, Attorney General of the United States, in the room of C. Lee, who, with Keith Taylor, *cum multis aliis*, are appointed judges under the new system. H. G. Otis is nominated a district attorney. A vessel has been waiting for some time in readiness to carry the new minister to France.

My affectionate salutations to Mrs. Madison.

Th. Jefferson.

TO JOHN DICKINSON.

Washington, March 6, 1801.

Dear Sir,

No pleasure can exceed that which I received from reading your letter of the 21st ultimo. It was like the joy we expect in the mansions of the blessed, when, received with the embraces of our forefathers, we shall be welcomed with their blessing as having done our part not unworthily of them. The storm through which we have passed has been tremendous indeed. The tough sides of our argosie have been thoroughly tried Her strength has stood the waves into which she was steered, with a view to sink her. We shall put her on her republican tack, and she will now shew by the beauty of her motion the skill of her builders. Figure apart, our fellow citizens have been led hood-winked from their principles, by a most extraordinary combination of circumstances. But the band is removed, and they now see for themselves. I hope to see shortly a perfect consolidation, to effect which, nothing shall be spared on my part, short of the abandonment of the principles of our revolution. A just and solid republican government maintained here, will be a standing monument and example for the aim and imitation of the people of other countries; and I join with you in the hope and belief that they will see, from our example, that a free government is of all others the most energetic; that the inquiry which has been excited among the mass of mankind by our revolution and its consequences, will ameliorate the condition of man over a great portion of the globe. What a satisfaction have we in the contemplation of the benevolent effects of our efforts, compared with those of the leaders on the other side, who have discountenanced all advances in science as dangerous innovations, have endeavoured to render philosophy and republicanism terms of reproach, to persuade us that man cannot be governed but by the rod, &c. I shall have the happiness of living and dying in the contrary hope.

Accept assurances of my constant and sincere respect and attachment, and my affectionate salutations.

Th. Jefferson.

TO COLONEL MONROE.

Washington, March 7, 1801.

Dear Sir,

I had written the inclosed letter to Mrs. Trist, and was just proceeding to begin one to you, when your favour of the 6th was put into my hands. I thank you sincerely for it, and consider the views of it so sound, that I have communicated it to my coadjutors as one of our important evidences of the public sentiment, according to which we must shape our course. I suspect, partly from this, but more from a letter of J. Taylor's which has been put into my hands, that an incorrect idea of my views has got abroad. I am in hopes my inaugural address will in some measure set this to rights, as it will present the leading objects to be conciliation and adherence to sound principle. This I know is impracticable with the leaders of the late faction, whom I abandon as incurables, and will never turn an inch out of my way to reconcile them. But with the main body of the federalists, I believe it very practicable. You know that the manœuvres of the year X. Y. Z. carried over from us a great body of the people, real republicans, and honest men, under virtuous motives. The delusion lasted a while. At length the poor arts of tub plots, &c. were repeated, till the designs of the party became suspected. From that moment those who had left us began to come back. It was by their return to us that we gained the victory in November, 1800, which we should not have gained in November, 1799. But during the suspension of the public mind from the 11th to the 17th of February, and the anxiety and alarm lest there should be no election, and anarchy ensue, a wonderful effect was produced on the mass of federalists who had not before come over. Those who had before become sensible of their error in the former change, and only wanted a decent excuse for coming back, seized that occasion for doing so. Another body, and a large one it is, who, from timidity of constitution, had gone with those who wished for a strong executive, were induced by the same timidity to come over to us, rather than risk anarchy: so that, according to the evidence we receive from every direction, we may say that the whole of that portion of the people which were called federalists, were made to desire anxiously the very event they had just before opposed with all their energies, and to receive the election which was made, as an object of their earnest wishes, a child of their own. These people (I always exclude their leaders) are now aggregated with us; they look with a certain degree of affection and confidence to the administration, ready to become attached to it, if it avoids in the outset acts which might revolt and throw them off. To give time for a perfect consolidation seems prudent. I have firmly refused to follow the counsels of those who have desired the giving offices to some of their leaders, in order to reconcile. I have given, and will give, only to republicans, under existing circumstances. But I believe with others, that deprivations of office, if made on the ground of political principles alone, would revolt our new converts, and give a body to leaders who now stand alone. Some, I know, must be made. They must be as few as possible, done gradually, and bottomed on some malversation or inherent disqualification. Where we shall draw the line between retaining all and none, is not yet settled, and will not be till we get our administration together; and perhaps even then, we shall proceed *à talons*, balancing our measures according to the impression we perceive them to make.

This may give you a general view of our plan. Should you be in Albemarle the first week in April, I shall have the pleasure of seeing you there, and of developing things more particularly, and of profiting by an intercommunication of views. Dawson sails for France about the 15th, as the *bearer* only of the treaty to Ellsworth and Murray. He has probably asked your commands, and your introductory letters.

Present my respects to Mrs. Monroe, and accept assurances of my high and affectionate consideration and attachment.

TH. JEFFERSON.

TO GOVERNOR M'KEAN.

Washington, March 9, 1801.

DEAR SIR,

I have to acknowledge the receipt of your favour of February the 20th, and to thank you for your congratulations on the event of the election. Had it terminated in the elevation of Mr. Burr, every republican would, I am sure, have acquiesced in a moment; because, however it might have been variant from the intentions of the voters, yet it would have been agreeable to the constitution. No man would more cheerfully have submitted than myself, because I am sure the administration would have been republican, and the chair of the Senate permitting me to be at home eight months in the year, would, on that account, have been much more consonant to my own satisfaction. But in the event of an usurpation, I was decidedly with those who were determined not to permit it, because that precedent once set, would be artificially reproduced, and end soon in a dictator. Virginia was arming, I believe. I shall know the particulars from Governor Monroe, whom I expect to meet in a short visit I must make home, to select some books, &c. necessary here, and make other domestic arrangements.

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Accept assurances of my high esteem and respect.

TH. JEFFERSON.

TO JOEL BARLOW.

Washington, March 14, 1801.

Dear Sir,

Not having my papers here, it is not in my power to acknowledge the receipt of your letters by their dates; but I am pretty certain I have received two in the course of the last twelve months, one of them covering your excellent second letter. Nothing can be sounder than the principles it inculcates, and I am not without hopes they may make their way. You have understood that the revolutionary movements in Europe had, by industry and artifice, been wrought into objects of terror even to this country, and had really involved a great portion of our well-meaning citizens in a panic which was perfectly unaccountable, and during the prevalence of which they were led to support measures the most insane. They are now pretty thoroughly recovered from it, and sensible of the mischief which was done, and preparing to be done, had their minds continued a little longer under that derangement. The recovery bids fair to be complete, and to obliterate entirely the line of party division which had been so strongly drawn. Not that their late leaders have come over, or ever can come over. But they stand at present almost without followers. The principal of them have retreated into the judiciary as a strong hold, the tenure of which renders it difficult to dislodge them. For all the particulars I must refer you to Mr. Dawson, a member of Congress, fully informed, and worthy of entire confidence. Give me leave to ask for him your attentions and civilities, and a verbal communication of [illegible] side the water as you know I feel a great interest in, and as may not with safety be committed to paper. I am entirely unable to conjecture the issue of things with you.

Accept assurances of my constant esteem and high consideration.

TH. JEFFERSON.

TO THOMAS PAINE.

Washington, March 18, 1801.

DEAR SIR,

Your letters of October the 1st, 4th, 6th, and 16th, came duly to hand, and the papers which they covered were, according to your permission, published in the newspapers and in a pamphlet, and under your own name. These papers contain precisely our principles, and I hope they will be generally recognized here. Determined as we are to avoid, if possible, wasting the energies of our people in war and destruction, we shall avoid implicating ourselves with the powers of Europe, even in support of principles which we mean to pursue. They have so many other interests different from ours, that we must avoid being entangled in them. We believe we can enforce those principles, as to ourselves, by peaceable means, now that we are likely to have our public councils detached from foreign views. The return of our citizens from the frenzy into which they had been wrought, partly by ill conduct in France, partly by artifices practised on them, is almost entire, and will, I believe, become quite so. But these details, too minute and long for a letter, will be better developed by Mr. Dawson, the bearer of this, a member of the late Congress, to whom I refer you for them; he goes in the Maryland, a sloop of war, which will wait a few days at Havre to receive his letters, to be written on his arrival at Paris. You expressed a wish to get a passage to this country in a public vessel. Mr. Dawson is charged with orders to the captain of the Maryland to receive and accommodate you with a passage back, if you can be ready to depart at such short warning. Robert R. Livingston is appointed Minister Plenipotentiary to the republic of France, but will not leave this till we receive the ratification of the convention by Mr. Dawson. I am in hopes you will find us returned generally to sentiments worthy of former times. In these it will be your glory to have steadily laboured, and with as much effect as any man living. That you may long live to continue your useful labours, and to reap their reward in the thankfulness of nations, is my sincere prayer.

Accept assurances of my high esteem and affectionate attachment.

Th. Jefferson.

TO M. DE REYNEVAL.

Washington, March 20, 1801.

Dear Sir,

Mr. Pichon, who arrived two days ago, delivered me your favour of January the 1st, and I had before received one by Mr. Dupont, dated August the 24th, 1799, both on the subject of lands, claimed on behalf of your brother, Mr. Girard, and that of August the 24th, containing a statement of the case. I had verbally explained to Mr. Dupont at the time, what I presumed to have been the case, which must, I believe, be very much mistaken in the statement sent with that letter; and I expected he had communicated it to you.

During the regal government, two companies, called the Loyal and the Ohio companies, had obtained grants from the crown for eight hundred thousand, or one million of acres of land, each, on the Ohio, on condition of settling them in a given number of years. They surveyed some and settled them; but the war of 1755 came on, and broke up the settlements. After it was over, they petitioned for a renewal. Four other large companies then formed themselves, called the Mississippi, the Illinois, the Wabash, and the Indiana companies, each praying for immense quantities of land, some amounting to two hundred miles square, so that they proposed to cover the whole country north between the Ohio and Mississippi, and a great portion of what is south. All these petitions were depending, without any answer whatever from the crown, when the revolution war broke out. The petitioners had associated to themselves some of the nobility of England, and most of the characters in America of great influence. When Congress assumed the government, they took some of their body in as partners, to obtain their influence; and I remember to have heard at the time, that one of them took Mr. Girard as a partner, expecting by that to obtain the influence of the French court, to obtain grants of those lands which they had not been able to obtain from the British government. All these lands were within the limits of Virginia, and that State determined peremptorily, that they never should be granted to large companies, but left open equally to all; and when they passed their land law (which I think was in 1778), they confirmed only so much of the lands of the Loyal company as they had actually surveyed, which was a very small proportion, and annulled every other pretension. And when that State conveyed the lands to Congress (which was not till 1784), so determined were they to prevent their being granted to these or any other large companies, that they made it an express condition of the cession, that they should be applied first towards the soldiers' bounties, and the residue sold for the payment of the national debt, and for no other purpose. This disposition has been accordingly rigorously made, and is still going on, and Congress considers itself as having no authority to dispose of them otherwise.

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I sincerely wish, Sir, it had been in my power to have given you a more agreeable account of this claim. But as the case actually is, the most substantial service is to state it exactly, and not to foster false expectations. I remember, with great sensibility, all the attentions you were so good as to render me while I resided in Paris, and shall be made happy by every occasion which can be given me of acknowledging them, and the expressions of your friendly recollection are particularly soothing to me.

Accept, I pray you, the assurances of my high consideration and constant esteem.

TH. JEFFERSON.

TO DOCTOR JOSEPH PRIESTLEY.

Washington, March 21, 1801.

DEAR SIR,

I learned some time ago, that you were in Philadelphia, but that it was only for a fortnight; and I supposed you were gone. It was not till yesterday I received information that you were still there, had been very ill, but were on the recovery. I sincerely rejoice that you are so. Yours is one of the few lives precious to mankind, and for the continuance of which every thinking man is solicitous. Bigots may be an exception. What an effort, my dear Sir, of bigotry in politics and religion have we gone through. The barbarians really flattered themselves they should be able to bring back the times of

Vandalism, when ignorance put every thing into the hands of power and priestcraft. All advances in science were proscribed as innovations. They pretended to praise and encourage education, but it was to be the education of our ancestors. We were to look backwards, not forwards for improvement: the President himself declaring, in one of his answers to addresses, that we were never to expect to go beyond them in real science. This was the real ground of all the attacks on you: those who live by mystery and *charlatanerie*, fearing you would render them useless by simplifying the Christian philosophy, the most sublime and benevolent but most perverted system that ever shone on man, endeavoured to crush your well earned and well deserved fame. But it was the Lilliputians upon Gulliver. Our countrymen have recovered from the alarm into which art and industry had thrown them; science and honesty are replaced on their high ground; and you, my dear Sir, as their great apostle, are on its pinnacle. It is with heartfelt satisfaction that, in the first moments of my public action, I can hail you with welcome to our land, tender to you the homage of its respect and esteem, cover you under the protection of those laws which were made for the wise and good like you, and disclaim the legitimacy of that libel on legislation, which, under the form of a law, was for some time placed among them.*

As the storm is now subsiding and the horizon becoming serene, it is pleasant to consider the phenomenon with attention. We can no longer say there is nothing new under the sun. For this whole chapter in the history of man is new. The great extent of our republic is new. Its sparse habitation is new. The mighty wave of public opinion which has rolled over it is new. But the most pleasing novelty is, its so quietly subsiding, over such an extent of surface, to its true level again. The order and good sense displayed in this recovery from delusion, and in the momentous crisis which lately arose, really bespeak a strength of character in our nation which augurs well for the duration of our republic: and I am much better satisfied now of its stability than I was before it was tried. I have been above all things solaced by the prospect which opened on us, in the event of a non-election of a President; in which case, the federal government would have been in the situation of a clock or watch run down. There was no idea of force, nor of any occasion for it. A convention, invited by the republican members of Congress, with the virtual President and vice President, would have been on the ground in eight weeks, would have repaired the constitution where it was defective, and wound it up again. This peaceable and legitimate resource, to which we are in the habit of implicit obedience, superseding all appeal to force, and being always within our reach, shews a precious principle of self-preservation in our composition, till a change of circumstances shall take place, which is not within prospect at any definite period.

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* In the margin is written by the author, 'Alien Law.'

But I have got into a long disquisition on politics, when I only meant to express my sympathy in the state of your health, and to tender you all the affections of public and private hospitality. I should be very happy indeed to see you here. I leave this about the 30th instant, to return about the 25th of April. If you do not leave Philadelphia before that, a little excursion hither would help your health. I should be much gratified with the possession of a guest I so much esteem, and should claim a right to lodge you, should you make such an excursion.

Accept the homage of my high consideration and respect, and assurances of affectionate attachment.

TH. JEFFERSON.

TO MOSES ROBINSON.

Washington, March 23, 1801.

DEAR SIR,

I have to acknowledge the receipt of your favour of the 3d instant, and to thank you for the friendly expressions it contains. I entertain real hope that the whole body of your fellow citizens (many of whom had been carried away by the X.Y.Z. business) will shortly be consolidated in the same sentiments. When they examine the real principles of both parties, I think they will find little to differ about. I know, indeed, that there are some of their leaders who have so committed themselves, that pride, if no other passion, will prevent their coalescing. We must be easy with them. The Eastern States will be the last to come over, on account of the dominion of the clergy, who had got a smell of union between Church and State, and began to indulge reveries which can never be realised in the present state of science. If, indeed, they could have prevailed on us to view all advances in science as dangerous innovations, and to look back to the opinions and practices of our forefathers, instead of looking forward, for improvement, a promising groundwork would have been laid. But I am in hopes their good sense will dictate to them, that since the mountain will not come to them, they had better go to the mountain: that they will find their interest in acquiescing in the liberty and science of their country, and that the Christian religion, when divested of the rags in which they have enveloped it, and brought to the original purity and simplicity of its benevolent institutor, is a religion of all others most friendly to liberty, science, and the freest expansion of the human mind.

I sincerely wish, with you, we could see our government so secured as to depend less on the character of the person in whose hands it is trusted. Bad men will sometimes get in, and, with such an immense patronage, may make great progress in corrupting the public mind and principles. This is a subject with which wisdom and patriotism should be occupied.

I pray you to accept assurances of my high respect and esteem.

TH. JEFFERSON.

TO WILLIAM B. GILES.

Washington, March 23, 1801.

DEAR SIR,

I received two days ago your favour of the 16th, and thank you for your kind felicitations on my election: but whether it will be a subject of felicitation, permanently, will be for chapters of future history to say. The important subjects of the government I meet with some degree of courage and confidence, because I do believe the talents to be associated with me, the honest line of conduct we will religiously pursue at home and abroad, and the confidence of my fellow citizens dawning on us, will be equal to these objects.

But there is another branch of duty which I must meet with courage too, though I cannot without pain: that is, the appointments and disappointments as to offices. Madison and Gallatin being still absent, we have not yet decided on our rules of conduct as to these. That some ought to be removed from office, and that all ought not, all mankind will agree. But where to draw the line, perhaps no two will agree. Consequently, nothing like a general approbation on this subject can be looked for. Some principles have been the subject of conversation, but not of determination; e.g. 1. all appointments to *civil* offices *during pleasure*, made after the event of the election was certainly known to Mr. Adams, are considered as nullities. I do not view the persons appointed as even candidates for the office, but make others without noticing or notifying them. Mr. Adams's best friends have agreed this is right. 2. Officers who have been guilty of *official* mal-conduct are proper subjects of removal. 3. Good men, to whom there is no objection but a difference of political principle, practised on only as far as the right of a private citizen will justify, are not proper subjects of removal, except in the case of attornies and marshals. The courts being so decidedly federal and irremoveable, it is believed that republican attornies and marshals, being the doors of entrance into the courts, are indispensably necessary as a shield to the republican part of our fellow-citizens, which, I believe, is the main body of the people.

These principles are yet to be considered of, and I sketch them to you in confidence. Not that there is objection to your mooting them as subjects of conversation, and as proceeding from yourself, but not as matters of executive determination. Nay, further, I will thank you for your own sentiments and those of others on them. If received before the 20th of April, they will be in time for our deliberation on the subject. You know that it was in the year X. Y. Z. that so great a transition from us to the other side took place, and with as real republicans as we were ourselves; that these, after getting over that delusion, have been returning to us, and that it is to that return we owe a triumph in 1800, which in 1799 would have been the other way. The week's suspension of the election before Congress, seems almost to have completed that business, and to have brought over nearly the whole remaining mass. They now find themselves with us, and separated from their quondam leaders. If we can but avoid shocking their feelings by unnecessary acts of severity against their late friends, they will in a little time cement and form one mass with us, and by these means harmony and union be restored to our country, which would be the greatest good we could effect. It was a conviction that these people did not differ from us in principle, which induced me to define the principles which I deemed orthodox, and to urge a reunion on these principles; and I am induced to hope it has conciliated many. I do not speak of the desperadoes of the quondam faction in and out of Congress. These I consider as incurables, on whom all attentions would be lost, and therefore will not be wasted. But my wish is, to keep their flock from returning to them.

On the subject of the marshal of Virginia, I refer you confidentially to Major Egglestone for information. I leave this about this day se'nnight, to make some arrangements at home preparatory to my final removal to this place, from which I shall be absent about three weeks.

Accept assurances of my constant esteem and high consideration and respect.

TH. JEFFERSON.

TO SAMUEL ADAMS.

Washington, March 29, 1801.

I addressed a letter to you, my very dear and antient friend, on the 4th of March; not indeed to you by name, but through the medium of some of my fellow-citizens, whom occasion called on me to address. In meditating the matter of that address, I often asked myself, is this exactly in the spirit of the patriarch, Samuel Adams? Is it as he would express it? Will he approve of it? I have felt a great deal for our country in the times we have seen. But individually for no one so much as yourself. When I have been told that you were avoided, insulted, frowned on, I could but ejaculate, "Father, forgive them, for they know not what they do." I confess I felt an indignation for you, which for myself I have been able, under every trial, to keep entirely passive. However, the storm is over, and we are in port. The ship was not rigged for the service she was put on. We will show the smoothness of her motions on her republican tack. I hope we shall once more see harmony restored among our citizens, and an entire oblivion of past feuds. Some of the leaders who have most committed themselves cannot come into this. But I hope the great body of our fellow citizens will do it. I will sacrifice every thing but principle to procure it. A few examples of justice on officers who have perverted their functions to the oppression of their fellow citizens, must, in justice to those citizens, be made. But opinion, and the just maintenance of it, shall never be a crime in my view; nor bring injury on the individual. Those whose misconduct in office ought to have produced their removal even by my predecessor, must not be protected by the delicacy due only to honest men. How much I lament that time has deprived me of your aid. It would have been a day of glory which should have called you to the first office of the administration. But give us your counsel, my friend, and give us your blessing; and be assured that there exists not in the heart of man a more faithful esteem than mine to you, and that I shall ever bear you the most affectionate veneration and respect.

Th. Jefferson.

TO ELBRIDGE GERRY.

Washington, March 29, 1801.

My Dear Sir,

Your two letters of January the 15th and February the 24th, came safely to hand, and I thank you for the history of a transaction which will ever be interesting in our affairs. It has been very precisely as I had imagined. I thought, on your return that if you had come forward boldly, and appealed to the public by a full statement, it would have had a great effect in your favour personally, and that of the republican cause then oppressed almost unto death. But I judged from a tact of the southern pulse. I suspect that of the north was different and decided your conduct: and perhaps it has been as well. If the revolution of sentiment has been later, it has, perhaps, been not less sure. At length it has arrived. What with the natural current of opinion which has been setting over to us for eighteen months, and the immense impetus which was given it from the 11th to the 17th of February, we may now say that the United States from New York southwardly, are as unanimous in the principles of '76, as they were in '76. The only difference is, that the leaders who remain behind are more numerous and bolder than the apostles of toryism in '76. The reason is, that we are now justly more tolerant than we could safely have been then, circumstanced as we were. Your part of the Union, though as absolutely republican as ours, had drunk deeper of the delusion, and is therefore slower in recovering from it. The ægis of government, and the temples of religion and of justice, have all been prostituted there to toll us back to the times when we burnt witches. But your people will rise again. They will awake like Sampson from his sleep, and carry away the gates and the posts of the city. You, my friend, are destined to rally them again under their former banners, and when called to the post, exercise it with firmness and with inflexible adherence to your own principles. The people will support you, notwithstanding the howlings of the ravenous crew from whose jaws they are escaping. It will be a great blessing to our country if we can once more restore harmony and social love among its citizens. I confess, as to myself, it is almost the first object of my heart, and one to which I would sacrifice every thing but principle. With the people I have hopes of effecting it. But their *coryphæi* are incurables. I expect little from them.

I was not deluded by the eulogiums of the public papers in the first moments of change. If they could have continued to get all the loaves and fishes, that is, if I would have gone over to them, they would continue to eulogise. But I well knew that the moment that such removals should take place, as the justice of the preceding administration ought to have executed, their hue and cry would be set up, and they would take their old stand. I shall disregard that also. Mr. Adams' last appointments, when he knew he was naming counsellors and aids for me and not for himself, I set aside as far as depends on me. Officers who have been guilty of gross abuses of office, such as marshals packing juries, &c. I shall now remove, as my predecessor ought in justice to have done. The instances will be few, and governed by strict rule, and not party passion. The right of opinion shall suffer no invasion from me. Those who have acted well have nothing to fear, however they may have differed from me in opinion: those who have done ill, however, have nothing to hope; nor shall I fail to do justice, lest it should be ascribed to that difference of opinion. A coalition of sentiments is not for the interest of the printers. They, like the clergy, live by the zeal they can kindle, and the schisms they can create. It is contest of opinion in politics as well as religion which makes us take great interest in them, and bestow our money liberally on those who furnish aliment to our appetite. The mild and simple principles of the Christian philosophy would produce too much calm, too much regularity of good, to extract from its disciples a support for a numerous priesthood, were they not to sophisticate it, ramify it, split it into hairs, and twist its texts till they cover the divine morality of its author with mysteries, and require a priesthood to explain them. The Quakers seem to have discovered this. They have no priests, therefore no schisms. They judge of the text by the dictates of common sense and common morality. So the printers can never leave us in a state of perfect rest and union of opinion. They would be no longer useful, and would have to go to the plough. In the first moments of quietude which have succeeded the election, they seem to have aroused their lying faculties beyond their ordinary state, to re-agitate the public mind. What appointments to office have they detailed which had never been thought of, merely to found a text for their calumniating commentaries. However, the steady character of our countrymen is a rock to which we may safely moor; and notwithstanding the efforts of the papers to disseminate early discontents, I expect that a just, dispassionate and steady conduct will at length rally to a proper system the great body of our country. Unequivocal in principle, reasonable in manner, we shall be able, I hope, to do a great deal of good to the cause of freedom and harmony. I shall be happy to hear from you often, to know your own sentiments and those of others on the course of things, and to concur with you in efforts for the common good. Your letters through the post will now come safely.

Present my best respects to Mrs. Gerry, and accept yourself assurances of my constant esteem and high consideration.

TH. JEFFERSON.

TO GIDEON GRANGER.

Washington, May 3, 1801.

DEAR SIR,

I wrote you on the 29th of March. Yours of the 25th of that month, with the address it covered, had not reached this place on the 1st of April, when I set out on a short visit to my residence in Virginia, where some arrangements were necessary previous to my settlement here. In fact, your letter came to me at Monticello only the 24th of April, two days before my departure from thence. This, I hope, will sufficiently apologise for the delay of the answer, which those unapprised of these circumstances will have thought extraordinary.

A new subject of congratulation has arisen. I mean the regeneration of Rhode Island. I hope it is the beginning of that resurrection of the genuine spirit of New England which rises for life eternal. According to natural order, Vermont will emerge next, because least, after Rhode Island, under the yoke of hierocracy. I have never dreamed that all opposition was to cease. The clergy, who have missed their union with the State, the Anglomen who have missed their union with England, and the political adventurers who have lost the chance of swindling and plunder in the waste of public money, will never cease to bawl, on the breaking up of their sanctuary. But among the people, the schism is healed, and with tender treatment the wound will not re-open. Their quondam leaders have been astounded with the suddenness of the desertion: and their silence and appearance of acquiescence have proceeded, not from a thought of joining us, but the uncertainty what ground to take. The very first acts of the administration, the nominations, have accordingly furnished something to yelp on; and all our subsequent acts will furnish them fresh matter, because there is nothing against which human ingenuity will not be able to find something to say.

Accept assurances of my sincere attachment and high respect.

TH. JEFFERSON.

TO NATHANIEL MACON.

Washington, May 14, 1801.

DEAR SIR,

Your favours of April the 20th and 23rd had been received, and the commission made out for Mr. Potts, before I received the letter of the 1st instant. I have still thought it better to forward the commission, in the hope that reconsideration, or the influence of yourself and friends, might induce an acceptance of it. Should it be otherwise, you must recommend some other good person, as I had rather be guided by your opinion than that of the person you refer me to. Perhaps Mr. Potts may be willing to stop the gap till you meet and repeal the law. If he does not, let me receive a recommendation from you as quickly as possible. And in all cases, when an office becomes vacant in your State, as the distance would occasion a great delay were you to wait to be regularly consulted, I shall be much obliged to you to recommend the best characters. There is nothing I am so anxious about as making the best possible appointments, and no case in which the best men are more liable to mislead us, by yielding to the solicitations of applicants. For this reason your own spontaneous recommendation would be desirable. Now to answer your particulars, *seriatim*.

Levees are done away.

The first communication to the next Congress will be, like all subsequent ones, by message, to which no answer will be expected.

The diplomatic establishment in Europe will be reduced to three ministers.

The compensations to collectors depend on you, and not on me.

The army is undergoing a chaste reformation.

The navy will be reduced to the legal establishment by the last of this month.

Agencies in every department will be revised.

We shall push you to the uttermost in economising.

A very early recommendation had been given to the Postmaster General to employ no printer, foreigner, or revolutionary tory in any of his offices. This department is still untouched.

The arrival of Mr. Gallatin yesterday, completed the organization of our administration.

Accept assurances of my sincere esteem and high respect.

TH. JEFFERSON.

TO LEVY LINCOLN.

Washington, July 11, 1801.

DEAR SIR,

Your favour of the 15th came to hand on the 25th of June, and conveyed a great deal of that information which I am anxious to receive. The consolidation of our fellow citizens in general is the great object we ought to keep in view, and that being once obtained, while we associate with us in affairs, to a certain degree, the federal sect of republicans, we must strip of all the means of influence the Essex junto, and their associate monocrats in every part of the Union. The former differ from us only in the shades of power to be given to the executive, being, with us, attached to republican government. The latter wish to sap the republic by fraud, if they cannot destroy it by force, and to erect an English monarchy in its place; some of them (as Mr. Adams) thinking its corrupt parts should be cleansed away, others (as Hami ton) thinking that would make it an impracticable machine. We are proceeding gradually in the regeneration of offices, and introducing republicans to some share in them. I do not know that it will be pushed further than what was settled before you went away, except as to Essex men. I must ask you to make out a list of those in office in your's and the neighbouring States, and to furnish me with it. There is little of this spirit south of the Hudson. I understand that Jackson is a very determined one, though in private life amiable and honourable. But amiable monarchists are not safe subjects of republican confidence. What will be the effect of his removal? How should it be timed? Who his successor? What place can General Lyman properly occupy? Our gradual reformations seem to produce good effects everywhere except in Connecticut. Their late session of legislature has been more intolerant than all others. We must meet them with equal intolerance. When they will give a share in the State offices, they shall be replaced in a share of the General offices. Till then we must follow their example, Mr. Goodrich's removal has produced a bitter *remonstrance*, with much personality against the two Bishops. I am sincerely sorry to see the inflexibility of the *federal* spirit there, for I cannot believe they are *all monarchists*.

I observe your tory papers make much of the Berceau. As that is one of the subjects to be laid before Congress, it is material to commit to writing, while fresh in memory, the important circumstances. You possess more of these than any other person. I pray you, therefore, immediately to state to me all the circumstances you recollect. I will aid you with the following hints, which you can correct and incorporate. Pichon, I think, arrived about the 12th of March. I do not remember when he first proposed the question about the Insurgente and Berceau. On the 20th of March, Mr. Stoddart wrote to his agent at Boston to put the Berceau into handsome order to be restored, but whether he did that of his own accord, or after previous consultation with you or myself, I do not recollect. I set out for Monticello April the 1st. About that time General Smith sent new directions to put her precisely into the state in which she was before the capture. Do you recollect from what fund it was contemplated to do this? I had trusted for this to Stoddart, who was familiar with all the funds, being myself entirely new in office at that time. What will those repairs have cost? Did we not leave to Le Tombe to make what allowance he thought proper to the officers, we only advancing money on his undertaking repayment? I shall hope to receive from you as full a statement as you can make. It may be useful to inquire into the time and circumstances of her being dismantled. When you shall have retraced the whole matter in your memory, would it not be well to make a summary statement of the important circumstances for insertion in the Chronicle, in order to set the minds of the candid part of the public to rights? Mr. Madison has had a slight bilious attack. I am advising him to get off by the middle of this month. We who have stronger constitutions shall stay to the end of it. But during August and September, we also must take refuge in climates rendered safer by our habits and confidence. The post will be so arranged as that letters will go hence to Monticello, and the answer return here in a week. I hope I shall continue to hear from you there.

Accept assurances of my affectionate esteem and high respect.

TH. JEFFERSON.

P. S. The French convention was laid before the Senate December the 16th. I think the Berceau arrived afterwards. If so, she was dismantled when it was known she was to be restored. When did she arrive? By whose orders was she dismantled? T. J.

TO GOVERNOR MONROE.

Washington, July 11, 1801.

DEAR SIR,

As to the mode of correspondence between the general and particular executives, I do not think myself a good judge. Not because my position gives me any prejudice on the occasion; for if it be possible to be certainly conscious of any thing, I am conscious of feeling no difference between writing to the highest and lowest being on earth; but because I have ever thought that forms should yield to whatever should facilitate business. Comparing the two governments together, it is observable that in all those cases where the independent or reserved rights of the states are in question, the two executives, if they are to act together, must be exactly co-ordinate; they are, in these cases, each the supreme head of an independent government. In other cases, to wit, those transferred by the constitution to the General Government, the general executive is certainly pre-ordinate; e. g. in a question respecting the militia, and others easily to be recollected. Were there, therefore, to be a stiff adherence to etiquette, I should say that in the former cases the correspondence should be between the two heads;

and that in the latter, the Governor must be subject to receive orders from the war department as any other subordinate officer would. And were it observed that either party set up unjustifiable pretensions, perhaps the other might be right in opposing them by a tenaciousness of his own rigorous rights. But I think the practice in General Washington's administration, was most friendly to business, and was absolutely equal; sometimes he wrote to the Governors, and sometimes the heads of departments wrote. If a letter is to be on a general subject, I see no reason why the President should not write; but if it is to go into details, these being known only to the head of the department, it is better he should write directly. Otherwise, the correspondence must involve circuities. If this be practised promiscuously in both classes of cases, each party setting examples of neglecting etiquette, both will stand on equal ground, and convenience alone will dictate through whom any particular communication is to be made. On the whole, I think a free correspondence best, and shall never hesitate to write myself to the Governors, in every federal case, where the occasion presents itself to me particularly.

Accept assurances of my sincere and constant affection and respect.

Th. Jefferson.

To Elias Shipman and others, a Committee of the Merchants of New Haven.

Washington, July 12, 1801.

Gentlemen,

I have received the remonstrance you were pleased to address to me, on the appointment of Samuel Bishop to the office of collector of New Haven, lately vacated by the death of David Austin. The right of our fellow citizens to represent to the public functionaries their opinion on proceedings interesting to them, is unquestionably a constitutional right, often useful, sometimes necessary, and will always be respectfully acknowledged by me.

Of the various executive duties, no one excites more anxious concern than that of placing the interests of our fellow citizens in the hands of honest men, with understandings sufficient for their stations. No duty, at the same time, is more difficult to fulfil. The knowledge of characters possessed by a single individual is, of necessity, limited. To seek out the best through the whole Union, we must resort to other information, which, from the best of men, acting disinterestedly and with the purest motives, is sometimes incorrect. In the case of Samuel Bishop, however, the subject of your remonstrance, time was taken, information was sought, and such obtained as could leave no room for doubt of his fitness. From private sources it was learned that his understanding was sound, his integrity pure, his character unstained. And the offices confided to him within his own State, are public evidences of the estimation in which he is held by the State in general, and the city and township particularly in which he lives. He is said to be the town clerk, a justice of the peace, mayor of the city of New Haven, an office held at the will of the legislature, chief judge of the court of common pleas, for New Haven county, a court of high criminal and civil jurisdiction, wherein most causes are decided without the right of appeal or review, and sole judge of the court of probates, wherein he singly decides all questions of wills, settlement of estates, testate and intestate, appoints guardians, settles their accounts, and in fact, has under his jurisdiction and care, all the property, real and personal, of persons dying. The two last offices in the annual gift of the legislature, were given to him in May last. Is it possible that the man to whom the legislature of Connecticut has so recently committed trusts of such difficulty and magnitude, is 'unfit to be the collector of the district of New Haven,' though acknowledged in the same writing, to have obtained all this confidence 'by a long life of usefulness?' It is objected, indeed, in the remonstrance, that he is seventy-seven years of age; but at a much more advanced age, our Franklin was the ornament of human nature. He may not be able to perform in person, all the details of his office; but if he gives us the benefit of his understanding, his integrity, his watchfulness, and takes care that all the details are well performed by himself or his necessary assistants, all public purposes will be answered. The remonstrance, indeed, does not allege that the office *has been* illy conducted, but only apprehends that it *will be* so. Should this happen in event, be assured I will do in it what shall be just and necessary for the public service. In the mean time, he should be tried without being prejudged.

The removal, as it is called, of Mr. Goodrich, forms another subject of complaint. Declarations by myself in favour of *political tolerance*, exhortations to *harmony* and affection in social intercourse, and to respect for the *equal rights* of the minority, have, on certain occasions, been quoted and misconstrued into assurances that the tenure of offices was to be undisturbed. But could candour apply such a construction? It is not indeed in the remonstrance that we find it; but it leads to the explanations which that calls for. When it is considered, that during the late administration, those who were not of a particular sect of politics were excluded from all office; when, by a steady pursuit of this measure, nearly the whole offices of the United States were monopolised by that sect; when the public sentiment at length declared itself, and burst open the doors of honour and confidence to those whose opinions they more approved; was it to be imagined that this monopoly of office was still to be continued in the hands of the minority? Does it violate their *equal rights*, to assert some rights in the majority also? Is it *political intolerance* to claim a proportionate share in the direction of the public affairs? Can they not *harmonise* in society unless they have every thing in their own hands? If the will of the nation, manifested by their various elections, calls for an administration of government according with the opinions of those elected; if, for the fulfilment of that will, displacements are necessary, with whom can they so justly begin as with persons appointed in the last moments of an administration, not for it own aid, but to begin a career at the same time with their successors, by whom they had never been approved, and who could scarcely expect from them a cordial co-operation? Mr. Goodrich was one of these. Was it proper for him to place himself in office, without knowing whether those whose agent he was to be, would have confidence in his agency? Can the preference of another as the successor to Mr. Austin, be candidly called a removal of Mr. Goodrich? If a due participation of office is a matter of right, how are vacancies to be obtained? Those by death are few; by resignation none. Can any other mode than that of removal be proposed? This is a painful office. But it is made my duty, and I meet it as such. I proceed in the operation with deliberation and inquiry, that it may injure the best men least, and effect the purposes of justice and public utility with the least private distress; that it may be thrown, as much as possible, on delinquency, on oppression, on intolerance, on on ante-revolutionary adherence to our enemies.

The remonstrance laments 'that a change in the admininistration must produce a change in the subordinate officers;' in other words, that it should be deemed necessary for all officers to think with their principal? But on whom does this imputation bear? On those who have excluded from office every shade of opinion which was not theirs? or on those who have been so excluded? I lament sincerely that unessential differences of opinion should ever have been deemed sufficient to interdict half the society from the rights and the blessings of self-government, to proscribe them as unworthy of every trust. It would have been to me a circumstance of great relief, had I found a moderate participation of office in the hands of the majority. I would gladly have left to time and accident to raise them to their just share. But their total exclusion calls for prompter corrections. I shall correct the procedure: but that done, return with joy to that state of things, when the only questions concerning a candidate shall be, is he honest? Is he capable? Is he faithful to the constitution?

I tender you the homage of my high respect.

TH. JEFFERSON.

TO LEVI LINCOLN.

Monticello, August 26, 1801.

DEAR SIR,

Your favour of July the 28th was received here on the 20th instant. The superscription of my letter of July the 11th, by another hand, was to prevent danger to it from the curious. Your statement respecting the Berceau coincided with my own recollection, in the circumstances recollected by me, and I concur with you in supposing it may not now be necessary to give any explanations on the subject in the papers. The purchase was made by our predecessors, and the repairs begun by them. Had she been to continue ours, we were authorised to put and keep her in good order out of the fund of the naval contingencies, and when in good order, we obeyed a law of the land, the treaty, in giving her up. It is true the treaty was not ratified; but when ratified it is validated retrospectively. We took on ourselves this risk, but France had put more into our hands on the same risk. I do not know whether the clamour, as to the allowance to the French officers of their regular pay, has been rectified by a statement that it was on the request of the French consul, and his promise to repay it. So that they cost the United States, on this arrangement, nothing.

I am glad to learn from you that the answer to New Haven had a good effect in Massachusetts on the republicans, and no ill effects on the sincere federalists. I had foreseen, years ago, that the first republican President who should come into office after all the places in the government had become exclusively occupied by federalists, would have a dreadful operation to perform. That the republicans would consent to a continuation of every thing in federal hands, was not to be expected, because neither just nor politic. On him then was to devolve the office of an executioner, that of lopping off. I cannot say that it has worked harder than I expected. You know the moderation of our views in this business, and that we all concurred in them. We determined to proceed with deliberation. This produced impatience in the republicans, and a belief we meant to do nothing. Some occasion of public explanation was eagerly desired, when the New Haven remonstrance offered us that occasion. The answer was meant as an explanation to our friends. It has had on them, every where, the most wholesome effect. Appearances of schismatizing from us have been entirely done away. I own I expected it would check the current, with which the republican federalists were returning to their brethren, the republicans. I extremely lamented this effect. For the moment which should convince me that a healing of the nation into one, is impracticable, would be the last moment of my wishing to remain where I am. (Of the monarchical federalists, I have no expectations. They are incurables, to be taken care of in a mad house, if necessary, and on motives of charity.) I am much pleased, therefore, with your information that the republican federalists are still coming in to the desired union. The eastern newspapers had given me a different impression, because I supposed the printers knew the taste of their customers, and cooked their dishes to their palates. The Palladium is understood to be the *clerical* paper, and from the clergy I expect no mercy. They crucified their Saviour who preached that their kingdom was not of this world, and all who practise on that precept must expect the extreme of their wrath. The laws of the present day withhold their hands from blood. But lies and slander still remain to them.

I am satisfied that the heaping of abuse on me personally, has been with the design and the hope of provoking me to make a general sweep of all federalists out of office. But as I have carried no passion into the execution of this disagreeable duty, I shall suffer none to be excited. The clamour which has been raised will not provoke me to remove one more, nor deter me from removing one less, than if not a word had been said on the subject. In Massachusetts you may be assured, great moderation will be used. Indeed, Connecticut, New York, New Jersey, Pennsylvania and Delaware are the only States where any thing considerable is desired. In the course of the summer all which is necessary will be done; and we may hope that this cause of offence being at an end, the measures we shall pursue and propose for the amelioration of the public affairs, will be so confessedly salutary as to unite all men not monarchists in principle.

We have considerable hopes of republican Senators from South Carolina, Maryland and Delaware, and some as to Vermont. In any event, we are secure of a majority in the Senate; and consequently that there will be a concert of action between the legislature and executive. The removal of excrescences from the judiciary, is the universal demand. We propose to re-assemble at Washington on the last day of September. Accept assurances of my affectionate esteem and high respect.

TH. JEFFERSON.

TO ROBERT R. LIVINGSTON.

Monticello, September 9, 1801.

DEAR SIR,

You will receive, probably by this post, from the Secretary of State, his final instructions for your mission to France. We have not thought it necessary to say any thing in them on the great question of the maritime law of nations, which at present agitates Europe; that is to say, whether free ships shall make free goods, because we do not mean to take any side in it during the war. But, as I had before communicated to you some loose thoughts on that subject, and have since considered it with somewhat more attention, I have thought it might be useful that you should possess my ideas in a more matured form than that in which they were before given. Unforeseen circumstances may perhaps oblige you to hazard an opinion on some occasion or other, on this subject, and it is better that it should not be at variance with ours. I write this too, myself, that it may not be considered as official, but merely my individual opinion, unadvised by those official counsellors whose opinions I deem my safest guide, and should unquestionably take in form were circumstances to call for a solemn decision of the question.

When Europe assumed the general form in which it is occupied by the nations now composing it, and turned its attention to maritime commerce, we found among its earliest practices, that of taking the goods of an enemy from the ship of a friend; and that into this practice every maritime State went sooner or later, as it appeared on the theatre of the ocean. If, therefore, we are to consider the practice of nations as the sole and sufficient evidence of the law of nature among nations, we should unquestionably place this principle among those of the natural laws. But its inconveniences, as they affected neutral nations peaceably pursuing their commerce, and its tendency to embroil them with the powers happening to be at war, and thus to extend the flames of war, induced nations to introduce by special compacts, from time to time, a more convenient rule; that 'free ships should make free goods:' and this latter principle has by every maritime nation of Europe been established, to a greater or less degree, in its treaties with other nations; insomuch, that all of them have, more or less frequently, assented to it, as a rule of action in particular cases. Indeed, it is now urged, and I think with great appearance of reason, that this is the genuine principle dictated by national morality; and that the first practice arose from accident, and the particular convenience of the States* which first figured on the water, rather than from well digested reflections on the relations of friend and enemy, on the rights of territorial jurisdiction, and on the dictates of moral law applied to these. Thus it had never been supposed lawful, in the territory of a friend to seize the goods of an enemy. On an element which nature has not subjected to the jurisdiction of any particular nation, but has made common to all for the purposes to which it is fitted, it would seem that the particular portion of it which happens to be occupied by the vessel of any nation, in the course of its voyage, is, for the moment, the exclusive property of that nation, and, with the vessel, is exempt from intrusion by any other, and from its jurisdiction, as much as if it were lying in the harbour of its sovereign. In no country, we believe, is the rule otherwise, as to the subjects of property common to all. Thus the place occupied by an individual in a highway, a church, a theatre, or other public assembly, cannot be intruded on, while its occupant holds it for the purposes of its institution. The persons on board a vessel traversing the ocean, carrying with them the laws of their nation, have among themselves a jurisdiction, a police, not established by their individual will, but by the authority of their nation, of whose territory their vessel still seems to compose a part, so long as it does not enter the exclusive territory of another. No nation ever pretended a right to govern by their laws the ship of another nation navigating the ocean. By what law then can it enter that ship while in peaceable and orderly use of the common element? We recognize no natural precept for submission to such a right; and perceive no distinction between the moveable and immoveable jurisdiction of a friend, which would authorise the entering the one and not the other, to seize the property of an enemy.

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* Venice and Genoa.

It may be objected that this proves too much, as it proves you cannot enter the ship of a friend to search for contraband of war. But this is not proving too much. We believe the practice of seizing what is called contraband of war, is an abusive practice, not founded in natural right. War between two nations cannot diminish the rights of the rest of the world remaining at peace. The doctrine that the rights of nations remaining quietly in the exercise of moral and social duties, are to give way to the convenience of those who prefer plundering and murdering one another, is a monstrous doctrine; and ought to yield to the more rational law, that 'the wrong which two nations endeavour to inflict on each other, must not infringe on the rights or conveniences of those remaining at peace.' And what is *contraband*, by the law of nature? Either every thing which may aid or comfort an enemy, or nothing. Either all commerce which would accommodate him is unlawful, or none is. The difference between articles of one or another description, is a difference in degree only. No line between them can be drawn. Either all intercourse must cease between neutrals and belligerents, or all be permitted. Can the world hesitate to say which shall be the rule? Shall two nations turning tigers, break up in one instant the peaceable relations of the whole world? Reason and nature clearly pronounce that the neutral is to go on in the enjoyment of all its rights; that its commerce remains free, not subject to the jurisdiction of another, nor consequently its vessels to search, or to inquiries whether their contents are the property of an enemy, or are of those which have been called contraband of war.

Nor does this doctrine contravene the right of preventing vessels from entering a blockaded port. This right stands on other ground. When the fleet of any nation actually beleaguers the port of its enemy, no other has a right to enter their line, any more than their line of battle in the open sea, or their lines of circumvallation, or of encampment, or of battle array on land. The space included within their lines in any of those cases, is either the property of their enemy, or it is common property assumed and possessed for the moment, which cannot be intruded on, even by a neutral, without committing the very trespass we are now considering, that of intruding into the lawful possession of a friend.

Although I consider the observance of these principles as of great importance to the interests of peaceable nations, among whom, I hope the United States will ever place themselves, yet in the present state of things they are not worth a war. Nor do I believe war the most certain means of enforcing them. Those peaceable coercions which are in the power of every nation, if undertaken in concert, and in time of peace, are more likely to produce the desired effect.

The opinions I have here given are those which have generally been sanctioned by our government. In our treaties with France, the United Netherlands, Sweden, and Prussia, the principle of free bottom, free goods, was uniformly maintained. In the instructions of 1784, given by Congress to their ministers appointed to treat with the nations of Europe generally, the same principle, and the doing away contraband of war, were enjoined and were acceded to in the treaty signed with Portugal. In the late treaty with England, indeed, that power perseveringly refused the principle of free bottoms, free goods; and it was avoided in the late treaty with Prussia, at the instance of our then administration, lest it should seem to take side in a question then threatening decision by the sword. At the commencement of the war between France and England, the representative of the French republic then residing in the United States, complaining that the British armed ships captured French property in American bottoms, insisted that the principle of 'free bottoms, free goods,' was of the acknowledged law of nations; that the violation of that principle by the British was a wrong committed on us, and such an one as we ought to repel by joining in the war against that country. We denied his position, and appealed to the universal practice of Europe, in proof that the principle of 'free bottoms, free goods,' was not acknowledged as of the natural law of nations, but only of its conventional law. And I believe we may safely affirm, that not a single instance can be produced where any nation of Europe, acting professedly under the law of nations alone, unrestrained by treaty, has, either by its executive or judiciary organs, decided on the principle of 'free bottoms, free goods.' Judging of the law of nations by what has been *practised* among nations, we were authorised to say that the contrary principle was their rule, and this but an exception to it, introduced by special treaties in special cases only; that having no treaty with England substituting this instead of the ordinary rule, we had neither the right nor the disposition to go to war for its establishment. But though we would not then, nor will we now, engage in war to establish this principle, we are nevertheless sincerely friendly to it. We think that the nations of Europe have originally set out in error; that experience has proved the error oppressive to the rights and interests of the peaceable part of mankind; that every nation but one has acknowledged this, by consenting to the change, and that one has consented in particular cases; that nations have a right to correct an erroneous principle, and to establish that which is right as their rule of action; and if they should adopt measures for effecting this in a peaceable way, we shall wish them success, and not stand in their way to it. But should it become, at any time, expedient for us to co-operate in the establishment of this principle, the opinion of the executive, on the advice of its constitutional counsellors, must then be given; and that of the legislature, an independent and essential organ in the operation, must also be expressed; in forming which, they will be governed, every man by his own judgment, and may, very possibly, judge differently from the executive. With the same honest views, the most honest men often form different conclusions. As far, however, as we can judge, the principle of 'free bottoms, free goods,' is that which would carry the wishes of our nation.

Wishing you smooth seas and prosperous gales, with the enjoyment of good health, I tender you the assurances of my constant friendship and high consideration and respect.

TH. JEFFERSON.

TO WILLIAM SHORT.

Washington, October 3, 1801.

DEAR SIR,

* * * * * * *

I trusted to Mr. Dawson to give you a full explanation verbally, on a subject which I find he has but slightly mentioned to you. I shall therefore now do it. When I returned from France, after an absence of six or seven years, I was astonished at the change which I found had taken place in the United States in that time. No more like the same people, their notions, their habits and manners, the course of their com-

ix, seven, or eight [illegible] the
sequent missions which took place in my time. The
ppointed were notified that they could not be contin-
yond that period. All returned within a [illegible]
ys. His term was not quite out when Washing-
ton went out of office. The succeeding administra-
no rule for any thing; so he continued. Imme-
n my coming to the administration, I wrote to him
eminded him of the rule I had communicated to him
parture; that he had then been absent about seven
d consequently must return. On this ground [illegible] he
rseded. Under these circumstances, your appoint-
s impossible after an absence of seventeen years.
ny others. I should never fail to give to [illegible]
world proofs of my friendship for you and of my
e in you. Whenever you shall return, you will be
n a greater, of what I was in a smaller degree, of the
n this nation from what it was when we both left it.

We return like foreigners, and, like them, require
rable residence here to become Americanized.

tate of political opinion continues to return steadily
republicanism. To judge from the opposition papers,
r would suppose that a considerable check [illegible] had
duced by certain removals of public officers. But
ot the case. All offices were in the hands of the
s. The injustice of having totally excluded republi-
as acknowledged by every man. To have removed
and to have placed republicans in their stead, would
n rigorously just, when it was known that these com-
very great majority of the nation. Yet such was

any of our citizens, or retard that consolidation of sentiment so essential to our happiness and our strength. The tory papers will still find fault with every thing; but these papers are sinking daily, from their dissonance with the sentiments of their subscribers, and very few will shortly remain to keep up a solitary and ineffectual barking.

There is no point in which an American, long absent from his country, wanders so widely from its sentiments as on the subject of its foreign affairs. We have a perfect horror at every thing like connecting ourselves with the politics of Europe. It would indeed be advantageous to us to have neutral rights established on a broad ground; but no dependence can be placed in any European coalition for that. They have so many other bye-interests of greater weight, that some one or other will always be bought off. To be entangled with them would be a much greater evil than a temporary acquiescence in the false principles which have prevailed. Peace is our most important interest, and a recovery from debt. We feel ourselves strong, and daily growing stronger. The census just now concluded, shews we have added to our population a third of what it was ten years ago. This will be a duplication in twenty-three or twenty-four years. If we can delay but for a few years the necessity of vindicating the laws of nature on the ocean, we shall be the more sure of doing it with effect. The day is within my time as well as yours, when we may say by what laws other nations shall treat us on the sea; and we will say it. In the mean time, we wish to let every treaty we have drop off without renewal. We call in our diplomatic missions, barely keeping up those to the most important nations. There is a strong disposition in our countrymen to discontinue even these; and very possibly it may be done. Consuls will be continued as usual. The interest which European nations feel, as well as ourselves, in the mutual patronage of commercial intercourse, is a sufficient stimulus on both sides to insure that patronage. A treaty contrary to that interest, renders war necessary to get rid of it.

I send this by Chancellor Livingston, named to the Senate the day after I came into office, as our Minister Plenipotentiary to France. I have taken care to impress him with the value of your society. You will find him an able and honourable man; unfortunately, so deaf that he will have to transact all his business by writing. You will have known long ago, that Mr. Skipwith is reinstated in his consulship, as well as some others who had been set aside. I recollect no domestic news interesting to you. Your letters to your brother have been regularly transmitted, and I lately forwarded one from him, to be carried you by Mr. Livingston.

Present my best respects to our amiable and mutual friend, and accept yourself assurances of my sincere and constant affection.

TH. JEFFERSON.

Circular to the Heads of the Departments, and private.

Washington, November 6, 1801.

DEAR SIR,

Coming all of us into executive office, new, and unfamiliar with the course of business previously practised, it was not to be expected we should, in the first outset. adopt in every part a line of proceeding so perfect as to admit no amendment. The mode and degrees of communication, particularly between the President and heads of departments, have not been practised exactly on the same scale in all of them. Yet it would certainly be more safe and satisfactory for ourselves as well as the public, that not only the best, but also an uniform course of proceeding as to manner and degree, should be observed. Having been a member of the first administration under General Washington, I can state with exactness what our course then was. Letters of business came addressed sometimes to the President, but most frequently to the heads of departments. If addressed to himself, he referred them to the proper department to be acted on: if to one of the secretaries, the letter, if it required no answer, was communicated to the President, simply for his information. If an answer was requisite, the secretary of the department communicated the letter and his proposed answer to the President. Generally they were simply sent back after perusal; which signified his approbation. Sometimes he returned them with an informal note, suggesting an alteration or a query. If a doubt of any importance arose, he reserved it for conference. By this means, he was always in accurate possession of all facts and proceedings in every part of the Union, and to whatsoever department they related; he formed a central point for the different branches; preserved an unity of object and action among them; exercised that participation in the gestion of affairs which his office made incumbent on him; and met himself the due responsibility for whatever was done. During Mr. Adams' administration, his long and habitual absences from the seat of government, rendered this kind of communication impracticable, removed him from any share in the transaction of affairs, and parcelled out the government, in fact, among four independent heads, drawing sometimes in opposite directions. That the former is preferable to the latter course, cannot be doubted. It gave, indeed, to the heads of departments the trouble of making up, once a day, a packet of all their communications for the perusal of the President: it commonly also retarded one day their dispatches by mail. But in pressing cases, this injury was prevented by presenting that case singly for immediate attention; and it produced us in return the benefit of his sanction for every act we did. Whether any change of circumstances may render a change in this procedure necessary, a little experience will shew us. But I cannot withhold recommending to the heads of departments, that we should adopt this course for the present, leaving any necessary modifications of it to time and trial. I am sure my conduct must have proved, better than a thousand declarations would, that my confidence in those whom I am so happy as to have associated with me, is unlimited, unqualified and unabated. I am well satisfied that every thing goes on with a wisdom and rectitude which I could not improve. If I had the universe to choose from I could not change one of my associates to my better satisfaction. My sole motives are those before expressed, as governing the first administration in chalking out the rules of their proceeding; adding to them only a sense of obligation imposed on me by the public will, to meet personally the duties to which they have appointed me. If this mode of proceeding shall meet the approbation of the heads of departments, it may go into execution without giving them the trouble of an answer: if any other can be suggested which would answer our views and add less to their labours, that will be a sufficient reason for my preferring it to my own proposition, to the substance of which only, and not the form, I attach any importance.

Accept for yourself particularly, my dear Sir, assurances of my constant and sincere affection and respect.

TH. JEFFERSON.

TO JOHN DICKINSON.

Washington, December 19, 1801.

DEAR SIR,

The approbation of my ancient friends is above all things the most grateful to my heart. They know for what objects we relinquished the delights of domestic society, tranquillity and science, and committed ourselves to the ocean of revolution, to wear out the only life God has given us here, in scenes, the benefits of which will accrue only to those who follow us. Surely we had in view to obtain the theory and practice of good government; and how any, who seemed so ardent in this pursuit, could as shamelessly have apostatized, and supposed we meant only to put our government into other hands, but not other forms, is indeed wonderful. The lesson we have had will probably be useful to the people at large, by shewing to them how capable they are of being made the instruments of their own bondage. A little more prudence and moderation in those who had mounted themselves on their fears, and it would have been long and difficult to unhorse them. Their madness had done in three years what reason alone acting against them would not have effected in many; and the more, as they might have gone on forming new entrenchments for themselves from year to year. My great anxiety at present is, to avail ourselves of our ascendancy to establish good principles, and good practices; to fortify republicanism behind as many barriers as possible, that the outworks may give time to rally and save the citadel, should that be again in danger. On their part, they have retired into the judiciary as a strong hold. There the remains of federalism are to be preserved and fed from the treasury, and from that battery all the works of republicanism are to be beaten down and erased. By a fraudulent use of the constitution, which has made judges irremoveable, they have multiplied useless judges merely to strengthen their phalanx.

You will perhaps have been alarmed, as some have been, at the proposition to abolish the whole of the internal taxes. But it is perfectly safe. They are under a million of dollars, and we can economise the government two or three millions a year. The impost alone gives us ten or eleven millions annually, increasing at a compound ratio of six and two-thirds per cent., per annum, and consequently doubling in ten years. But leaving that increase for contingencies, the present amount will support the government, pay the interest of the public debt, and discharge the principal in fifteen years. If the increase proceeds, and no contingencies demand it, it will pay off the principal in a shorter time. Exactly one half of the public debt, to wit, thirty-seven millions of dollars, is owned in the United States. That capital then will be set afloat, to be employed in rescuing our commerce from the hands of foreigners, or in agriculture, canals, bridges, or other useful enterprises. By suppressing at once the whole internal taxes, we abolish three-fourths of the offices now existing, and spread over the land. Seeing the interest you take in the public affairs, I have indulged myself in observations flowing from a sincere and ardent desire of seeing our affairs put into an honest and advantageous train.

Accept assurances of my constant and affectionate esteem and high respect.

TH. JEFFERSON.

TO ALBERT GALLATIN.

Washington, April 1, 1802.

DEAR SIR,

I have read and considered your report on the operations of the sinking fund, and entirely approve of it, as the best plan on which we can set out. I think it an object of great importance, to be kept in view and to be undertaken at a fit season, to simplify our system of finance, and bring it within the comprehension of every member of Congress. Hamilton set out on a different plan. In order that he might have the entire government of his machine, he determined so to complicate it as that neither the President or Congress should be able to understand it, or to controul him. He succeeded in doing this, not only beyond their reach, but so that he at length could not unravel it himself. He gave to the debt, in the first instance, in funding it, the most artificial and mysterious form he could devise. He then moulded up his appropriations of a number of scraps and remnants, many of which were nothing at all, and applied them to different objects in reversion and remainder, until the whole system was involved in impenetrable fog; and while he was giving himself the airs of providing for the payment of the debt, he left himself free to add to it continually, as he did in fact, instead of paying it. I like your idea of kneading all his little scraps and fragments into one batch, and adding to it a complimentary sum, which, while it forms it into a single mass, from which every thing is to be paid, will enable us, should a breach of appropriation ever be charged on us, to prove that the sum appropriated, and more, has been applied to its specific object.

But there is a point beyond this, on which I should wish to keep my eye, and to which I should aim to approach by every tack which previous arrangements force on us. That is, to form into one consolidated mass all the monies received into the treasury, and to marshal the several expenditures, giving them a preference of payment according to the order in which they should be arranged. As, for example :—1. The interest of the public debt. 2. Such portions of principal as are exigible. 3. The expenses of government. 4. Such other portions of principal as, though not exigible, we are still free to pay when we please. The last object might be made to take up the residuum of money remaining in the treasury, at the end of every year, after the three first objects were complied with, and would be the barometer whereby to test the economy of the administration. It would furnish a simple measure, by which every one could mete their merit, and by which every one could decide when taxes were deficient or superabundant. If to this can be added a simplification of the form of accounts in the treasury department, and in the organization of its officers, so as to bring every thing to a single centre, we might hope to see the finances of the Union as clear and intelligible as a merchant's books, so that every member of Congress, and every man of any mind in the Union, should be able to comprehend them, to investigate abuses, and consequently to control them. Our predecessors have endeavoured, by intricacies of system, and shuffling the investigator over from one officer to another, to cover every thing from detection. I hope we shall go in the contrary direction, and that, by our honest and judicious reformations, we may be able, within the limits of our time, to bring things back to that simple and intelligible system on which they should have been organised at first.

I have suggested only a single alteration in the report, which is merely verbal, and of no consequence. We shall now get rid of the commissioner of the internal revenue, and superintendent of stamps. It remains to amalgamate the comptroller and auditor into one, and reduce the register to a clerk of accounts; and then the organization will consist, as it should at first, of a keeper of money, a keeper of accounts, and the head of the department. This constellation of great men, in the treasury department, was of a piece with the rest of Hamilton's plans. He took his own stand as a Lieutenant General, surrounded by his Major-Generals, and stationing his Brigadiers and Colonels, under the name of Supervisors, Inspectors, &c., in the different States. Let us deserve well of our country by making her interests the end of all our plans, and not our own pomp, patronage, and irresponsibility. I have hazarded these hasty and crude ideas, which occurred on contemplating your report. They may be the subject of future conversation and correction.

Accept my affectionate salutations.

TH. JEFFERSON.

TO GENERAL KOSCIUSKO.

Washington, April 2, 1802.

DEAR GENERAL,

It is but lately that I have received your letter of the 25th Frimaire, (December 15), wishing to know whether some officers of your country could expect to be employed in this country. To prevent a suspense injurious to them, I hasten to inform you, that we are now actually engaged in reducing our military establishment one third, and discharging one third of our officers. We keep in service no more than men enough to garrison the small posts dispersed at great distances on our frontiers, which garrisons will generally consist of a captain's company only, and in no case, of more than two or three, in not one of a sufficient number to require a field officer; and no circumstance whatever can bring these garrisons together, because it would be an abandonment of their forts. Thus circumstanced, you will perceive the entire impossibility of providing for the persons you recommend. I wish it had been in my power to give you a more favourable answer; but next to the fulfilling your wishes, the most grateful thing I can do is to give a faithful answer. The session of the first Congress convened since republicanism has recovered its ascendancy, is now drawing to a close. They will pretty completely fulfil all the desires of the people. They have reduced th army and navy to what is barely necessary. They a disarming executive patronage and preponderance, by pu ting down one half the offices of the United Stat which are no longer necessary. These economies h enabled them to suppress all the internal taxes, and to make such provision for the payment of their pu to discharge that in eighteen years. They have ff a parasite limb, planted by their predecessors on iciary body for party purposes; they are opening the hospitality to the fugitives from the oppressions of ntries; and we have suppressed all those public forms monies which tended to familiarise the public eye to ngers of another form of government. The people y all united; their quondam leaders, infuriated with of their impotence, will soon be seen or heard only ewspapers, which serve as chimnies to carry off vapours and smoke; and all is now tranquil, firm, , as it should be.

no signature, because unnecessary for you. God , and preserve you still for a season of usefulness to ntry.

TO ROBERT R. LIVINGSTON.

Washington, April 18, 1802.

AR SIR,

urable and confidential opportunity offering by M. le Nemours, who is revisiting his native country, gives portunity of sending you a cypher to be used between will give you some trouble to understand, but once d, is the easiest to use, the most indecypherable, and a new key with the greatest facility, of any I have wn. I am in hopes the explanation inclosed will be

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iting by Mr. Dupont I need use no cypher. I re- m him to put this into your own and no other hand, lay occasioned by that be what it will.

ession of Louisiana and the Floridas by Spain to orks most sorely on the United States. On this sub- ecretary of State has written to you fully, yet I can- ar recurring to it personally, so deep is the impression on my mind. It completely reverses all the political of the United States, and will form a new epoch in ical course. Of all nations of any consideration, the one which, hitherto, has offered the fewest points we could have any conflict of right, and the most a communion of interests. From these causes we looked to her as our *natural friend,* as one with which we never could have an occasion of difference. Her growth, therefore, we viewed as our own, her misfortunes ours. There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three eighths of our territory must pass to market, and from its fertility it will ere long yield more than half of our whole produce, and contain more than half of our inhabitants. France, placing herself in that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years. Her pacific dispositions, her feeble state, would induce her to increase our facilities there, so that her possession of the place would be hardly felt by us, and it would not, perhaps, be very long before some circumstance might arise, which might make the cession of it to us the price of something of more worth to her. Not so can it ever be in the hands of France: the impetuosity of her temper, the energy and restlessness of her character, placed in a point of eternal friction with us, and our character, which, though quiet, and loving peace and the pursuit of wealth, is high minded, despising wealth in competition with insult or injury, enterprising and energetic as any nation on earth; these circumstances render it impossible that France and the United States can continue long friends, when they meet in so irritable a position. They, as well as we, must be blind if they do not see this; and we must be very improvident if we do not begin to make arrangements on that hypothesis. The day that France takes possession of New Orleans fixes the sentence which is to restrain her for ever within her low water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation. We must turn all our attentions to a maritime force, for which our resources place us on very high ground: and having formed and connected together a power which may render reinforcement of her settlements here impossible to France, make the first cannon which shall be fired in Europe the signal for tearing up any settlement she may have made, and for holding the two continents of America in sequestration for the common purposes of the United British and American nations. This is not a state of things we seek or desire. It is one which this measure, if adopted by France, forces on us as necessarily, as any other cause, by the laws of nature, brings on its necessary effect. It is not from a fear of France that we deprecate this measure proposed by her. For however greater her force is than ours, compared in the abstract, it is nothing in comparison of ours, when to be exerted on our soil. But it is from a sincere love of peace, and a firm persuasion, that, bound to France by the interests and the strong sympathies still existing in the minds of our citizens, and holding relative positions which insure their continuance, we are secure of a long course of peace. Whereas, the change of friends, which will be rendered necessary if France changes that position, embarks us necessarily as a belligerent power in the first war of Europe. In that case, France will have held possession of New Orleans during the interval of a peace, long or short, at the end of which it will be wrested from her. Will this short-lived possession have been an equivalent to her for the transfer of such a weight into the scale of her enemy? Will not the amalgamation of a young, thriving nation, continue to that enemy the health and force which are at present so evidently on the decline? And will a few years' possession of New Orleans add equally to the strength of France? She may say she needs Louisiana for the supply of her West Indies. She does not need it in time of peace, and in war she could not depend on them, because they would be so easily intercepted. I should suppose that all these considerations might, in some proper form, be brought into view of the government of France. Though stated by us, it ought not to give offence, because we do not bring them forward as a menace, but as consequences not controllable by us, but inevitable from the course of things. We mention them, not as things which we desire by any means, but as things we deprecate; and we beseech a friend to look forward, and to prevent them for our common interests.

If France considers Louisiana, however, as indispensable for her views, she might perhaps be willing to look about for arrangements which might reconcile it to our interests. If any thing could do this, it would be the ceding to us the island of New Orleans and the Floridas. This would certainly, in a great degree, remove the causes of jarring and irritation between us, and perhaps for such a length of time, as might produce other means of making the measure permanently conciliatory to our interests and friendships. It would, at any rate, relieve us from the necessity of taking immediate measures for countervailing such an operation by arrangements in another quarter. But still we should consider New Orleans and the Floridas as no equivalent for the risk of a quarrel with France, produced by her vicinage.

I have no doubt you have urged these considerations, on every proper occasion, with the government where you are. They are such as must have effect, if you can find means of producing thorough reflection on them by that government. The idea here is, that the troops sent to St. Domingo, were to proceed to Louisiana, after finishing their work in that island. If this were the arrangement, it will give you time to return again and again to the charge. For the conquest of St. Domingo will not be a short work. It will take considerable time, and wear down a great number of soldiers. Every eye in the United States is now fixed on the affairs of Louisiana. Perhaps nothing since the revolutionary war, has produced more uneasy sensations through the body of the nation. Notwithstanding temporary bickerings have taken place with France, she has still a strong hold on the affections of our citizens generally. I have thought it not amiss, by way of supplement to the letters of the Secretary of State, to write you this private one, to impress you with the importance we affix to this transaction. I pray you to cherish Dupont. He has the best dispositions for the continuance of friendship between the two nations, and perhaps you may be able to make a good use of him.

Accept assurances of my affectionate esteem and high consideration.

TH. JEFFERSON.

TO GOVERNOR MONROE.

Washington, July 15, 1802.

DEAR SIR,

Your favour of the 7th has been duly received. I am really mortified at the base ingratitude of Callendar. It presents human nature in a hideous form. It gives me concern, because I perceive that relief, which was afforded him on mere motives of charity, may be viewed under the aspect of employing him as a writer. When "The Political Progress of Britain" first appeared in this country, it was in a periodical publication called the Bee, where I saw it. I was speaking of it in terms of strong approbation to a friend in Philadelphia, when he asked me, if I knew that the author was then in the city, a fugitive from prosecution on account of that work, and in want of employ for his subsistence. This was the first of my learning that Callendar was the author of the work. I considered him as a man of science fled from persecution, and assured my friend of my readiness to do whatever could serve him. It was long after this before I saw him; probably not till 1798. He had, in the mean time, written a second part of the Political Progress, much inferior to the first, and his history of the United States. In 1798, I think, I was applied to by Mr. Lieper to contribute to his relief. I did so. In 1799, I think, S. T. Mason applied for him. I contributed again. He had, by this time, paid me two or three personal visits. When he fled in a panic from Philadelphia to General Mason's, he wrote to me that he was a fugitive in want of employ, wished to know if he could get into a counting house or a school, in my neighbourhood or in that of Richmond; that he had materials for a volume, and if he could get as much money as would buy the paper, the profit of the sale would be all his own. I availed myself of this pretext to cover a mere charity, by desiring him to consider me a subscriber for as many copies of his book as the money inclosed (fifty dollars) amounted to; but to send me two copies only, as the others might lay till called for. But I discouraged his coming into my neighbourhood. His first writings here had fallen far short of his original Political Progress, and the scurrilities of his subsequent ones began evidently to do mischief. As to myself, no man wished more to see his pen stopped: but I considered him still as a proper object of benevolence. The succeeding year he again wanted money to buy paper for another volume. I made his letter, as before, the occasion of giving him another fifty dollars. He considers these as proofs of my approbation of his writings, when they were mere charities, yielded under a strong conviction that he was injuring us by his writings. It is known to many, that the sums given to him were such, and even smaller than I was in the habit of giving to others in distress, of the federal as well as the republican party, without attention to political principles. Soon after I was elected to the government, Callendar came on here, wishing to be made postmaster at Richmond. I knew him to be totally unfit for it: and however ready I was to aid him with my own charities (and I then gave him fifty dollars), I did not think the public offices confided to me to give away as charities. He took it in mortal offence, and from that moment has been hauling off to his former enemies, the federalists. Besides the letter I wrote him in answer to the one from General Mason's, I wrote him another containing answers to two questions he addressed to me. 1. Whether Mr. Jay received salary as Chief Justice and Envoy at the same time; and 2. something relative to the expenses of an embassy to

Constantinople. I think these were the only letters I ever wrote him in answer to volumes he was perpetually writing to me. This is the true state of what has passed between him and me. I do not know that it can be used without committing me in controversy, as it were, with one too little respected by the public to merit that notice. I leave to your judgment what use can be made of these facts. Perhaps it will be better judged of, when we see what use the tories will endeavour to make of their new friend. I shall leave this on the 21st, and be at Monticello probably on the 24th, or within two or three days of that, and shall hope, ere long, to see you there.

Accept assurances of my affectionate attachment.

TH. JEFFERSON.

TO GOVERNOR MONROE.

Washington, July 17, 1802.

DEAR SIR,

After writing you on the 15th, I turned to my letter file to see what letters I had written to Callendar, and found them to have been of the dates of 1798, October the 11th, and 1799, September the 6th, and October the 6th; but on looking for the letters they were not in their places, nor to be found. On recollection, I believe I sent them to you a year or two ago. If you have them, I shall be glad to receive them at Monticello, where I shall be on this day se'nnight. I inclose you a paper, which shews the tories mean to pervert these charities to Callendar as much as they can. They will probably first represent me as the patron and support of "The Prospect before us," and other things of Callendar's, and then picking out all the scurrilities of the author against General Washington, Mr. Adams, and others, impute them to me. I, as well as most other republicans who were in the way of doing it, contributed what I could afford to the support of the republican papers and printers, paid sums of money for the Bee, the Albany Register, &c. when they were staggering under the sedition law, contributed to the fines of Callendar himself, of Holt, Brown, and others, suffering under that law. I discharged, when I came into office, such as were under the persecution of our enemies, without instituting any prosecutions in retaliation. They may, therefore, with the same justice, impute to me, or to every republican contributor, every thing which was ever published in those papers or by those persons. I must correct a fact in mine of the 15th. I find I did not inclose the fifty dollars to Callendar himself while at General Mason's, but authorised the General to draw on my correspondent at Richmond, and to give the money to Callendar. So the other fifty dollars of which he speaks, were by order on my correspondent at Richmond.

Accept assurances of my affectionate esteem and respect.

Th. Jefferson.

TO ROBERT R. LIVINGSTON.

Washington, October 10, 1802.

Dear Sir,

The departure of Madame Brugnard for France furnishes me a safe conveyance of a letter, which I cannot avoid embracing, although I have nothing particular for the subject of it. It is well, however, to be able to inform you, generally, through a safe channel, that we stand completely corrected of the error, that either the government or the nation of France has any remains of friendship for us. The portion of that country which forms an exception, though respectable in weight, is weak in numbers. On the contrary, it appears evident, that an unfriendly spirit prevails in the most important individuals of the government, towards us. In this state of things, we shall so take our distance between the two rival nations, as, remaining disengaged till necessity compels us, we may haul finally to the enemy of that which shall make it necessary. We see all the disadvantageous consequences of taking a side, and shall be forced into it only by a more disagreeable alternative; in which event, we must countervail the disadvantages by measures which will give us splendour and power, but not as much happiness as our present system. We wish, therefore, to remain well with France. But we see that no consequences, however ruinous to them, can secure us with certainty against the extravagance of her present rulers. I think, therefore, that while we do nothing which the first nation on earth would deem crouching, we had better give to all our communications with them a very mild, complaisant, and even friendly complexion, but always independent. Ask no favours, leave small and irritating things to be conducted by the individuals interested in them, interfere ourselves but in the greatest cases, and then not push them to irritation. No matter at present existing between them and us is important enough to risk a breach of peace; peace being indeed the most important of all things for us, except the preserving an erect and independent attitude. Although I know your own judgment leads you to pursue this line identically, yet I thought it just to strengthen it by the concurrence of my own. You will have seen by our newspapers, that, with the aid of a lying renegado from republicanism, the federalists have opened all their sluices of calumny. They say we lied them out of power, and openly avow they will do the same by us. But it was not lies or arguments on our part which dethroned them, but their own foolish acts, sedition laws, alien laws, taxes, extravagances, and heresies. Porcupine, their *friend*, wrote them down. Callendar, their new recruit, will do the same. Every decent man among them revolts at his filth: and there cannot be a doubt, that were a Presidental election to come on this day, they would certainly have but three New England States, and about half a dozen votes from Maryland and North Carolina; these two States electing by districts. Were all the States to elect by a general ticket, they would have but three out of sixteen States. And these three are coming up slowly. We do, indeed, consider Jersey and Delaware as rather doubtful. Elections which have lately taken place there, but their event not yet known here, will shew the present point of their varying condition.

My letters to you being merely private, I leave all details of business to their official channel.

Accept assurances of my constant friendship and high respect.

TH. JEFFERSON.

P. S. We have received your letter announcing the arrival of Mr. Dupont.

THOMAS JEFFERSON TO ALBERT GALLATIN.

You know my doubts, or rather convictions, about the unconstitutionality of the act for building piers in the Delaware, and the fears that it will lead to a bottomless expense, and to the greatest abuses. There is, however, one intention of which the act is susceptible, and which will bring it within the constitution; and we ought always to presume that the real intention which is alone consistent with the constitution. Although the power to regulate commerce does not give a power to build piers, wharves, open ports, clear the beds of rivers, dig canals, build warehouses, build manufacturing machines, set up manufactories, cultivate the earth, to all of which the power would go if it went to the first, yet a power to provide and maintain a navy, is a power to provide receptacles for it, and places to cover and preserve it. In choosing the places where this money should be laid out, I should be much disposed, as far as contracts will permit, to confine it to such place or places as the ships of war may lie at, and be protected from ice: and I should be for stating this in a message to Congress, in order to prevent the effect of the present example. This act has been built on the exercise of the power of building light-houses, as a regulation of commerce. But I well remember the opposition, on this very ground, to the first act for building a light-house. The utility of the thing has sanctioned the infraction. But if on that infraction we build a second, on that second a third, &c., any one of the powers in the constitution may be made to comprehend every power of government. Will you read the inclosed letters on the subject of New Orleans, and think what we can do or propose in the case?

Accept my affectionate salutations.

October 13, 1802.

TO LEVI LINCOLN.

Washington, October 25, 1802.

Dear Sir,

Your favour of the 16th is received, and that of July the 24th had come to hand while I was at Monticello. I sincerely condole with you on the sickly state of your family, and hope this will find them re-established with the approach of the cold season. As yet, however, we have had no frost at this place, and it is believed the yellow fever still continues in Philadelphia, if not in Baltimore. We shall all be happy to see you here whenever the state of your family admits it. You will have seen by the newspapers that we have gained ground generally in the elections, that we have lost ground in not a single district of the United States except Kent county in Delaware, where a religious dissension occasioned it. In Jersey the elections are always carried by small majorities, consequently the issue is affected by the smallest accidents. By the paper of the last night we have a majority of three in their

Council, and one in their House of Representatives; another says it is only of one in each House: even the latter is sufficient for every purpose. The opinion I originally formed has never been changed, that such of the body of the people as thought themselves federalists, would find that they were in truth republicans, and would come over to us by degrees; but that their leaders had gone too far ever to change. Their bitterness increases with their desperation. They are trying slanders now which nothing could prompt but a gall which blinds their judgments as well as their consciences. I shall take no other revenge, than, by a steady pursuit of economy and peace, and, by the establishment of republican principles in substance and in form, to sink federalism into an abyss from which there shall be no resurrection for it. I still think our original idea as to office is best: that is, to depend for the obtaining a just participation, on deaths, resignations, and delinquencies. This will least affect the tranquillity of the people, and prevent their giving into the suggestion of our enemies, that ours has been a contest for office, not for principle. This is rather a slow operation, but it is sure, if we pursue it steadily, which, however, has not been done with the undeviating resolution I could have wished. To these means of obtaining a just share in the transaction of the public business, shall be added one other, to wit, removal for electioneering activity, or open and industrious opposition to the principles of the present government, legislative and executive. Every officer of the government may vote at elections according to his conscience; but we should betray the cause committed to our care, were we to permit the influence of official patronage to be used to overthrow that cause. Your present situation will enable you to judge of prominent offenders in your State, in the case of the present election. I pray you to seek them, to mark them, to be quite sure of your ground, that we may commit no error or wrong, and leave the rest to me. I have been urged to remove Mr. Whittemore, the surveyor of Gloucester, on grounds of neglect of duty and industrious opposition. Yet no facts are so distinctly charged as to make the step sure which we should take in this. Will you take the trouble to satisfy yourself on this point? I think it not amiss that it should be known that we are determined to remove officers who are active or open mouthed against the government, by which I mean the legislature as well as the executive.

Accept assurances of my sincere friendship and high respect.

TH. JEFFERSON.

TO GOVERNOR MONROE.

Washington, January 13, 1803.

DEAR SIR,

I dropped you a line on the 10th, informing you of a nomination I had made of you to the Senate, and yesterday I inclosed you their approbation, not then having time to write. The agitation of the public mind on occasion of the late suspension of our right of deposite at New Orleans is extreme. In the western country it is natural, and grounded on honest motives. In the sea ports it proceeds from a desire for war, which increases the mercantile lottery: in the federalists, generally, and especially those of Congress, the object is to force us into war if possible, in order to derange our finances, or, if this cannot be done, to attach the western country to them, as their best friends, and thus get again into power. Remonstrances, memorials, &c., are now circulating through the whole of the western country, and signed by the body of the people. The measures we have been pursuing, being invisible, do not satisfy their minds. Something sensible, therefore, has become necessary; and, indeed, our object of purchasing New Orleans and the Floridas is a measure liable to assume so many shapes, that no instructions could be squared to fit them. It was essential then, to send a minister extraordinary, to be joined with the ordinary one, with discretionary powers; first, however, well impressed with all our views, and therefore qualified to meet and modify to these every form of proposition which could come from the other party. This could be done only in full and frequent oral communications. Having determined on this, there could not be two opinions among the republicans as to the person. You possessed the unlimited confidence of the administration and of the western people; and generally of the republicans every where; and were you to refuse to go, no other man can be found who does this. The measure has already silenced the federalists here. Congress will no longer be agitated by them: and the country will become calm as fast as the information extends over it. All eyes, all hopes, are now fixed on you; and were you to decline, the chagrin would be universal, and would shake under your feet the high ground on which you stand with the public. Indeed I know nothing which would produce such a shock: for on the event of this mission depend the future destinies of this republic. If we cannot, by a purchase of the country, insure to ourselves a course of perpetual peace and friendship with all nations, then, as war cannot be distant, it behoves us immediately to be preparing for that course, without, however, hastening it; and it may be necessary (on your failure on the continent) to cross the channel. We shall get entangled in European politics, and, figuring more, be much less happy and prosperous. This can only be prevented by a successful issue to your present mission. I am sensible, after the measures you have taken for getting into a different line of business, that it will be a great sacrifice on your part, and presents, from the season and other circumstances, serious difficulties. But some men are born for the public. Nature, by fitting them for the service of the human race on a broad scale, has stamped them with the evidences of her destination and their duty.

But I am particularly concerned that, in the present case, you have more than one sacrifice to make. To reform the prodigalities of our predecessors is understood to be peculiarly our duty, and to bring the government to a simple and economical course. They, in order to increase expense, debt, taxation, and patronage, tried always how much they could give. The outfit given to ministers resident to enable them to furnish their house, but given by no nation to a temporary minister, who is never expected to take a house or to entertain, but considered on the footing of a *voyageur*, they gave to their extraordinary missionaries by wholesale. In the beginning of our administration, among other articles of reformation in expense, it was determined not to give an outfit to missionaries extraordinary, and not to incur the expense with any minister of sending a frigate to carry or bring him. The Boston happened to be going to the Mediterranean, and was permitted, therefore, to take up Mr. Livingston, and touch in a port of France. A frigate was denied to Charles Pinckney, and has been refused to Mr. King for his return. Mr. Madison's friendship and mine to you being so well known, the public will have eagle eyes to watch if we grant you any indulgences out of the general rule; and, on the other hand, the example set in your case will be more cogent on future ones, and produce greater approbation to our conduct. The allowance, therefore, will be in this, and all similar cases, all the expenses of your journey and voyage, taking a ship's cabin to yourself, nine thousand dollars a year from your leaving home till the proceedings of your mission are terminated, and then the quarter's salary for the expenses of your return, as prescribed by law. As to the time of your going, you cannot too much hasten it, as the moment in France is critical. St. Domingo delays their taking possession of Louisiana, and they are in the last distress for money for current purposes. You should arrange your affairs for an absence of a year at least, perhaps for a long one. It will be nesessary for you to stay here some days on your way to New York. You will receive here what advance you choose.

Accept assurances of my constant and affectionate attachment.

TH. JEFFERSON.

TO M. DUPONT.

Washington, February 1, 1803.

DEAR SIR,

I have to acknowledge the receipt of your favours of August the 16th and October the 4th. The letter I received with peculiar satisfaction; because, while it holds out terms which cannot be entirely yielded, it proposes such as a mutual spirit of accommodation and sacrifice of opinion may bring to some point of union. While we were preparing on this subject such modifications of the propositions of your letter of October the 4th, as we could assent to, an event happened which obliged us to adopt measures of urgency. The suspension of the right of desposite at New Orleans, ceded to us by our treaty with Spain, threw our whole country into such a ferment as imminently threatened its peace. This, however, was believed to be the act of the Intendant, unauthorized by his government; but it shewed the necessity of making effectual arrangements to secure the peace of the two countries against the indiscreet acts of subordinate agents. The urgency of the case, as well as the public spirit, therefore, induced us to make a more solemn appeal to the justice and judgment of our neighbours, by sending a minister extraordinary to impress them with the necessity of some arrangement. Mr. Monroe has been selected. His good dispositions cannot be doubted. Multiplied conversations with him, and views of the subject taken in all the shapes in which it can present itself, have possessed him with our estimates of every thing relating to it, with a minuteness which no written communication to Mr. Livingston could ever have astained. These will prepare them to meet and decide on every form of proposition which can occur, without awaiting new instructions from hence, which might draw to an indefinite length a discussion where circumstances imperiously oblige us to a prompt decision; for the occlusion of the Mississippi is a state of things in which we cannot exist. He goes, therefore, joined with Chancellor Livingston, to aid in the issue of a crisis the most important the United States have ever met since their independence, and which is to decide their future character and career. The confidence which the government of France reposes in you, will undoubtedly give great weight to your information. An equal confidence on our part, founded on your knowledge of the subject, your just views of it, your good dispositions towards this country, and my long experience of your personal faith and friendship, assures me that you will render between us all the good offices in your power. The interests of the two countries being absolutely the same as to this matter, your aid may be conscientiously given. It will often, perhaps, be possible for you, having a freedom of communication, *omnibus horis*, which diplomatic gentlemen will be excluded from by forms, to smooth difficulties by representations and reasonings which would be received with more suspicion from them. You will thereby render great good to both countries; for our circumstances are so imperious as to admit of no delay as to our course, and the use of the Mississippi so indispensable, that we cannot hesitate one moment to hazard our existence for its maintenance. If we fail in this effort to put it beyond the reach of accident, we see the destinies we have to run, and prepare at once for them. Not but that we shall still endeavour to go on in peace and friendship with our neighbours as long as we can, *if our rights of navigation and deposite are respected*; but as we foresee that the caprices of the local officers, and the abuse of those rights by our boatmen and navigators, which neither government can prevent, will keep up a state of irritation which cannot long be kept inactive, we should be criminally improvident not to take at once eventual measures for strengthening ourselves for the contest. It may be said, if this object be so all-important to us, why do we not offer such a sum as to insure its purchase? The answer is simple: we are an agricultural people, poor in money, and owing great debts. These will be falling due by instalments for fifteen years to come, and require from us the practice of a rigorous economy to accomplish their payment; and it is our principle to pay to a moment whatever we have engaged, and never to engage what we cannot, and mean not faithfully to pay. We have calculated our resources, and find the sum to be moderate which they would enable us to pay; and we know from late trials that little can be added to it by borrowing. The country, too, which we wish to purchase except the portion already granted, and which must be confirmed by the private holders, is a barren sand, six hundred miles from east to west, and from thirty to forty and fifty miles from north to south, formed by deposition of the sands by the Gulf Stream in its circular course round the Mexican Gulf, and which being spent after performing a semicircle, has made, from its last depositions, the sand bank of East Florida. In West Florida, indeed, there are on the borders of the rivers, some rich bottoms, formed by the mud brought from the upper country. These bottoms are all possessed by individuals: but the spaces between river and river are mere banks of sand; and in East Florida, there are neither rivers, nor consequently any bottoms. We cannot, then, make any thing by a sale of the lands to individuals; so that it is peace alone which makes it an object with us, and which ought to make the cession of it desirable to France. Whatever power, other than ourselves, holds the country east of the Mississippi, becomes our natural enemy. Will such a possession do France as much good, as such an enemy may do her harm? And how long would it be her's, were such an enemy, situated at its door, added to Great Britain? I confess, it appears to me as essential to France to keep at peace with us, as it is to us to keep at peace with her; and that, if this cannot be secured without some compromise as to the territory in question, it will be useful for both to make sacrifices to effect the compromise.

You see, my good friend, with what frankness I communicate with you on this subject; that I hide nothing from you, and that I am endeavouring to turn our private friendship to the good of our respective countries. And can private friendship ever answer a nobler end than by keeping two nations at peace, who, if this new position which one of them is taking were rendered innocent, have more points of common interest and fewer of collision than any two on earth; who become natural friends instead of natural enemies, which this change of position would make them? My letters of April the 25th, May the 5th, and this present one, have been written, without any disguise, in this view: and while safe in your hands, they can never do any thing but good. But you and I are now at that time of life when our call to another state of being cannot be distant, and may be near. Besides, your government is in the habit of seizing papers without notice. These letters might thus get into hands which, like the hornet which extracts poison from the same flower that yields honey to the bee, might make them the ground of blowing up a flame between our two countries, and make our friendship and confidence in each other effect exactly the reverse of what we are aiming at. Being yourself thoroughly possessed of every idea in them, let me ask from your friendship an immediate consignment of them to the flames. That alone can make all safe, and ourselves secure.

I intended to have answered you here, on the subject of your agency in the transacting what money matters we may have at Paris, and for that purpose meant to have conferred with Mr. Gallatin; but he has, for two or three days, been confined to his room, and is not yet able to do business. If he is out before Mr. Monroe's departure, I will write an additional letter on that subject. Be assured that it will be a great additional satisfaction to me to render services to yourself and sons by the same acts which shall at the same time promote the public service.

Be so good as to present my respectful salutations to Madame Dupont, and to accept yourself assurances of my constant and affectionate friendship and great respect.

TH. JEFFERSON.

TO DR. BENJAMIN RUSH.

Washington, April 21, 1803.

DEAR SIR,

In some of the delightful conversations with you, in the evenings of 1798-99, and which served as an anodyne to the afflictions of the crisis through which our country was then labouring, the Christian religion was sometimes our topic; and I then promised you, that one day, or other, I would give you my views of it. They are the result of a life of inquiry and reflection, and very different from that anti-Christian system imputed to me by those who know nothing of my opinions. To the corruptions of Christianity I am, indeed, opposed, but not to the genuine precepts of Jesus himself. I am a Christian in the only sense in which he wished any one to be; sincerely attached to his doctrines, in preference to all others; ascribing to himself every *human* excellence, and believing he never claimed any other. At the short intervals since these conversations, when I could justifiably abstract my mind from public affairs, the subject has been under my contemplation; but the more I considered it, the more it expanded beyond the measure of either my time or information. In the moment of

a syllabus, or outline, of such an estimate of the compa-
e merits of Christianity, as I wished to see executed by
one of more leisure and information for the task than
lf. This I now send you, as the only discharge of my
ise I can probably ever execute. And in confiding it to
I know it will not be exposed to the malignant perver-
of those who make every word from me a text for new
presentations and calumnies. I am moreover averse to
mmunication of my religious tenets to the public; be-
it would countenance the presumption of those who have
voured to draw them before that tribunal, and to seduce
c opinion to erect itself into that inquisition over the
s of conscience, which the laws have so justly proscribed.
hoves every man who values liberty of conscience for him-
o resist invasions of it in the case of others; or their
nay, by change of circumstances, become his own. It
es him, too, in his own case, to give no example of con-
n, betraying the common right of independent opinion,
nswering questions of faith, which the laws have left
en God and himself. Accept my affectionate salutations.

TH. JEFFERSON.

bus of an estimate of the merit of the doctrines of Jesus, compared with those of others.

a comparative view of the Ethics of the enlightened
s of antiquity, of the Jews, and of Jesus, no notice
d be taken of the corruptions of reason among the an-
, to wit, the idolatry and superstition of the vulgar, nor
e corruptions of Christianity by the learned among its
ssors.

t a just view be taken of the moral principles inculcated
e most esteemed of the sects of antient philosophy, or of
individuals; particularly Pythagoras, Socrates, Epicu-
icero, Epictetus, Seneca, Antoninus.

Philosophers. 1. Their precepts related chiefly to our-
, and the government of those passions which, unre-

strained, would disturb our tranquillity of mind.* In this branch of philosophy they were really great.

2. In developing our duties to others, they were short and defective. They embraced, indeed, the circles of kindred and friends, and inculcated patriotism, or the love of our country in the aggregate, as a primary obligation; towards our neighbours and countrymen they taught justice, but scarcely viewed them as within the circle of benevolence. Still less have they inculcated peace, charity, and love to our fellow men, or embraced with benevolence the whole family of mankind.

II. Jews. 1. Their system was Deism; that is, the belief in one only God. But their ideas of him and of his attributes were degrading and injurious.

2. Their Ethics were not only imperfect, but often irreconcilable with the sound dictates of reason and morality, as they respect intercourse with those around us; and repulsive and anti-social, as respecting other nations. They needed reformation, therefore, in an eminent degree.

III. Jesus. In this state of things among the Jews, Jesus appeared. His parentage was obscure; his condition poor; his education null; his natural endowments great; his life correct and innocent: he was meek, benevolent, patient, firm, disinterested, and of the sublimest eloquence.

The disadvantages under which his doctrines appear are remarkable.

1. Like Socrates and Epictetus, he wrote nothing himself.

2. But he had not, like them, a Xenophon or an Arrian to write for him. I name not Plato, who only used the name of Socrates to cover the whimsies of his own brain. On the contrary, all the learned of his country, entrenched in its power and riches, were opposed to him, lest his labours should undermine their advantages; and the committing to writing his life and doctrines fell on unlettered and ignorant men; who wrote, too, from memory, and not till long after the transactions had passed.

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* To explain, I will exhibit the heads of Seneca's and Cicero's philosophical works, the most extensive of any we have received from the antients. Of ten heads in Seneca, seven relate to ourselves, viz. *de ira*, *consolatio*, *de tranquillitate*, *de constantia sapientis*, *de otio sapientis*, *de vita beata*, *de brevitate vitæ*; two relate to others, *de clementia*, *de beneficiis*; and one relates to the government of the world, *de providentia*. Of eleven tracts of Cicero, five respect ourselves, viz. *de finibus*, *Tusculana*, *academica*, *paradoxa*, *de Senectute*; one, *de officiis*, relates partly to ourselves, partly to others; one, *de amicitia*, relates to others; and four are on different subjects, to wit, *de natura deorum*, *de divinatione*, *de fato*, and *somnium Scipionis*.

3. According to the ordinary fate of those who attempt to enlighten and reform mankind, he fell an early victim to the jealousy and combination of the altar and the throne, at about thirty-three years of age, his reason having not yet attained the *maximum* of its energy, nor the course of his preaching, which was but of three years at most, presented occasions for developing a complete system of morals.

4. Hence the doctrines which he really delivered were defective as a whole, and fragments only of what he did deliver have come to us, mutilated, misstated, and often unintelligible.

5. They have been still more disfigured by the corruptions of schismatising followers, who have found an interest in sophisticating and perverting the simple doctrines he taught, by engrafting on them the mysticisms of a Grecian sophist, frittering them into subtleties, and obscuring them with jargon, until they have caused good men to reject the whole in disgust, and to view Jesus himself as an impostor.

Notwithstanding these disadvantages, a system of morals is presented to us, which, if filled up in the style and spirit of the rich fragments he left us, would be the most perfect and sublime that has ever been taught by man.

The question of his being a member of the Godhead, or in direct communication with it, claimed for him by some of his followers, and denied by others, is foreign to the present view, which is merely an estimate of the intrinsic merit of his doctrines.

1. He corrected the Deism of the Jews, confirming them in their belief of one only God, and giving them juster notions of his attributes and government.

2. His moral doctrines, relating to kindred and friends, were more pure and perfect than those of the most correct of the philosophers, and greatly more so than those of the Jews; and they went far beyond both in inculcating universal philanthropy, not only to kindred and friends, to neighbours and countrymen, but to all mankind, gathering all into one family, under the bonds of love, charity, peace, common wants, and common aids. A development of this head will evince the peculiar superiority of the system of Jesus over all others.

3. The precepts of philosophy, and of the Hebrew code, laid hold of actions only. He pushed his scrutinies into the heart of man; erected his tribunal in the region of his thoughts, and purified the waters at the fountain head.

4. He taught, emphatically, the doctrine of a future state, which was either doubted or disbelieved by the Jews; and wielded it with efficacy, as an important incentive, supplementary to the other motives to moral conduct.

TO GENERAL GATES.

Washington, July 11, 1803.

DEAR GENERAL,

I accept with pleasure, and with pleasure reciprocate, your congratulations on the acquisition of Louisiana: for it is a subject of mutual congratulation, as it interests every man of the nation. The territory acquired, as it includes all the waters of the Missouri and Mississippi, has more than doubled the area of the United States, and the new part is not inferior to the old in soil, climate, productions, and important communications. If our legislature dispose of it with the wisdom we have a right to expect, they may make it the means of tempting all our Indians on the east side of the Mississippi to remove to the west, and of condensing instead of scattering our population. I find our opposition is very willing to pluck feathers from Monroe, although not fond of sticking them into Livingston's coat. The truth is, both have a just portion of merit; and were it necessary or proper, it would be shewn that each has rendered peculiar services, and of important value. These grumblers, too, are very uneasy lest the administration should share some little credit for the acquisition, the whole of which they ascribe to the accident of war. They would be cruelly mortified could they see our files from May, 1801, the first organization of the administration, but more especially from April, 1802. They would see, that though we could not say when war would arise, yet we said with energy what would take place when it should arise. We did not, by our intrigues, produce the war: but we availed ourselves of it when it happened. The other party saw the case now existing, on which our representations were predicated, and the wisdom of timely sacrifice. But when these people make the war give us every thing, they authorise us to ask what the war gave us in their day? They had a war; what did they make it bring us? Instead of making our neutrality the ground of gain to their country, they were for plunging into the war. And if they were now in place, they would now be at war against the atheists and disorganizers of France. They were for making the country an appendage to England. We are friendly, cordially and conscientiously friendly, to England, but we are not hostile to France. We will be be rigorously just and sincerely friendly to both. I do not believe we shall have as much to swallow from them as our predecessors had.

* * * * * *

Present me respectfully to Mrs. Gates, and accept yourself my affectionate salutations. and assurances of great respect and esteem.

TH. JEFFERSON.

TO MR. BRECKENRIDGE.

Monticello, August 12, 1803.

DEAR SIR,

The inclosed letter, though directed to you, was intended to me also, and was left open with a request, that, when forwarded, I would forward it to you. It gives me occasion to write a word to you on the subject of Louisiana, which being a new one, an interchange of sentiments may produce correct ideas before we are to act on them.

Our information as to the country is very incomplete; we have taken measures to obtain it full as to the settled part, which I hope to receive in time for Congress. The boundaries, which I deem not admitting question, are the high lands on the western side of the Mississippi, inclosing all its waters, the Missouri of course, and terminating in the line drawn from the north-western point of the Lake of the Woods to the nearest source of the Mississippi, as lately settled between Great Britain and the United States. We have some claims, to extend on the sea coast westwardly to the Rio Norte or Bravo, and better, to go eastwardly to the Rio Perdido, between Mobile and Pensacola, the ancient boundary of Louisiana. These claims will be a subject of negotiation with Spain, and if, as soon as she is at war, we push them strongly with one hand, holding out a price in the other, we shall certainly obtain the Floridas, and all in good time. In the meanwhile, without waiting for permission, we shall enter into the exercise of the natural right we have always insisted on with Spain, to wit, that of a nation holding the upper part of streams, having a right of innocent passage through them to the ocean. We shall prepare her to see us practise on this, and she will not oppose it by force.

Objections are raising to the eastward against the vast extent of our boundaries, and propositions are made to exchange Louisiana, or a part of it, for the Floridas. But, as I have said, we shall get the Floridas without, and I would not give one inch of the waters of the Mississippi to any nation, because I see, in a light very important to our peace, the exclusive right to its navigation, and the admission of no nation into it, but as into the Potomac or Delaware, with our consent and under our police. These federalists see in this acquisition the formation of a new confederacy, embracing all the waters of the Mississippi, on both sides of it, and a separation of its eastern waters from us. These combinations depend on so many circumstances which we cannot foresee, that I place little reliance on them. We have seldom seen neighbourhood produce affection among nations. The reverse is almost the universal truth. Besides, if it should become the great interest of those nations to separate from this, if their happiness should depend on it so strongly as to induce them to go through that convulsion, why should the Atlantic States dread it! But especially why should we, their present inhabitants, take side in such a question! When I view the Atlantic States, procuring for those on the eastern waters of the Mississippi friendly instead of hostile neighbours on its western waters, I do not view it as an Englishman would the procuring future blessings for the French nation, with whom he has no relations of blood or affection. The future inhabitants of the Atlantic and Mississippi States will be our sons. We leave them in distinct but bordering establishments. We think we see their happiness in their union, and we wish it. Events may prove it otherwise; and if they see their interest in separation, why should we take side with our Atlantic rather than our Mississippi descendants? It is the elder and the younger son differing. God bless them both, and keep them in union, if it be for their good, but separate them, if it be better. The inhabited part of Louisiana, from Point Coupée to the sea, will of course be immediately a territorial government, and soon a State. But above that, the best use we can make of the country for some time, will be to give establishments in it to the Indians on the east side of the Mississippi, in exchange for their present country, and open land offices in the last, and thus make this acquisition the means of filling up the eastern side, instead of drawing off its population. When we shall be full on this side, we may lay off a range of States on the western bank from the head to the mouth, and so, range after range, advancing compactly as we multiply.

This treaty must of course be laid before both Houses, because both have important functions to exercise respecting it. They, I presume, will see their duty to their country in ratify-ing and paying for it, so as to secure a good which would otherwise probably be never again in their power. But I suppose they must then appeal to *the nation* for an additional article to the constitution, approving and confirming an act which the nation had not previously authorised. The constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The executive, in seizing the fugitive occurrence which so much advances the good of their country, have done an act beyond the constitution. The legislature, in casting behind them metaphysical subtleties, and risking themselves like faithful servants, must ratify and pay for it, and throw themselves on their country for doing for them unauthorised, what we know they would have done for themselves had they been in a situation to do it. It is the case of a guardian, investing the money of his ward in purchasing an important adjacent territory; and saying to him when of age, I did this for your good; I pretend to no right to bind you: you may disavow me, and I must get out of the scrape as I can: I thought it my duty to risk myself for you. But we shall not be disavowed by the nation, and their act of indemnity will confirm and not weaken the constitution, by more strongly marking out its lines.

We have nothing later from Europe than the public papers give. I hope yourself and all the western members will make a sacred point of being at the first day of the meeting of Congress; for *vestra res agitur*.

Accept my affectionate salutations and assurances of esteem and respect.

TH. JEFFERSON.

END OF VOL. III.

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MEMOIRS, CORRESPONDENCE,

AND

PRIVATE PAPERS

OF

THOMAS JEFFERSON,

LATE PRESIDENT OF THE UNITED STATES.

NOW FIRST PUBLISHED FROM THE ORIGINAL MANUSCRIPTS.

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CORRESPONDENCE.

TO LEVY LINCOLN.

Monticello, August 30, 1803.

Dear Sir,

The inclosed letter came to hand by yesterday's post. You will be sensible of the circumstances which make it improper that I should hazard a formal answer, as well as of the desire its friendly aspect naturally excites, that those concerned in it should understand that the spirit they express is friendly viewed. You can judge also from your knowledge of the ground, whether it may be usefully encouraged. I take the liberty, therefore, of availing myself of your neighbourhood to Boston, and of your friendship to me, to request you to say to the captain and others, verbally, whatever you think would be proper, as expressive of my sentiments on the subject. With respect to the day on which they wish to fix their anniversary, they may be told, that disapproving myself of transferring the honours and veneration for the great birth-day of our republic to any individual, or of dividing them with individuals, I have declined letting my own birth-day be known, and have engaged my family not to communicate it. This has been the uniform answer to every application of the kind.

On further consideration, as to the amendment to our constitution respecting Louisiana, I have thought it better, instead of enumerating the powers which Congress may exercise, to give them the same powers they have as to other portions of the Union generally, and to enumerate the special exceptions, in some such form as the following.

'Louisiana, as ceded by France to the United States, is made a part of the United States; its white inhabitants shall be citizens, and stand, as to their rights and obligations, on the same footing with other citizens of the United States, in analogous situations. Save only that as to the portion thereof lying north of an east and west line drawn through the mouth of Arkansas river, no new State shall be established, nor any grants of land made, other than to Indians, in exchange for equivalent portions of land occupied by them, until an amendment of the constitution shall be made for these purposes.

'Florida also, whensoever it may be rightfully obtained, shall become a part of the United States; its white inhabitants shall thereupon be citizens, and shall stand, as to their rights and obligations, on the same footing with other citizens of the United States, in analogous situations.'

I quote this for your consideration, observing that the less that is said about any constitutional difficulty, the better: and that it will be desirable for Congress to do what is necessary, *in silence*. I find but one opinion as to the necessity of shutting up the country for some time. We meet in Washington the 25th of September to prepare for Congress. Accept my affectionate salutations, and great esteem and respect.

TH. JEFFERSON.

TO WILSON C. NICHOLAS.

Monticello, September 7, 1803.

DEAR SIR,

Your favour of the 3d was delivered me at court; but we were much disappointed at not seeing you here, Mr. Madison and the Governor being here at the time. I inclose you a letter from Monroe on the subject of the late treaty. You will observe a hint in it, to do without delay what we are bound to do. There is reason, in the opinion of our ministers, to believe, that if the thing were to do over again, it could not be obtained, and that if we give the least opening, they will declare the treaty void. A warning amounting to that has been given to them, and an unusual kind of letter written by their minister to our Secretary of State, direct. Whatever Congress shall think it necessary to do, should be done with as little debate as possible, and particularly so far as respects the constitutional difficulty. I am aware of the force of the observations you make on the power given by the constitution to Congress, to admit new States into the Union, without restraining the subject to the territory then constituting the United States. But when I consider that the limits of the United States are precisely fixed by the treaty of 1783, that the constitution expressly declares itself to be made for the United States, I cannot help believing the intention was not to permit Congress to admit into the Union new States, which should be formed out of the territory for which, and under whose authority alone, they were then acting. I do not believe it was meant that they might receive England, Ireland, Holland, &c. into it, which would be the case on your construction. When an instrument admits two constructions, the one safe, the other dangerous, the one precise, the other indefinite, I prefer that which is safe and precise. I had rather ask an enlargement of power from the nation, where it is found necessary, than to assume it by a construction which would make our powers boundless. Our peculiar security is in the possession of a written constitution. Let us not make it a blank paper by construction. I say the same as to the opinion of those who consider the grant of the treaty making power as boundless. If it is, then we have no constitution. If it has bounds, they can be no others than the definitions of the powers which that instrument gives. It specifies and delineates the operations permitted to the federal government, and gives all the powers necessary to carry these into execution. Whatever of these enumerated objects is proper for a law, Congress may make the law; whatever is proper to be executed by way of a treaty, the President and Senate may enter into the treaty; whatever is to be done by a judicial sentence, the judges may pass the sentence. Nothing is more likely than that their enumeration of powers is defective. This the ordinary case of all human works. Let us go on then perfecting it, by adding, by way of amendment to the constitution, those powers which time and trial shew are still wanting. But it has been taken too much for granted, that by this rigorous construction the treaty power would be reduced to nothing. I had occasion once to examine its effect on the French treaty, made by the old Congress, and found that out of thirty odd articles which that contained, there were one, two, or three only, which could not now be stipulated under our present constitution. I confess, then, I think it important, in the present case, to set an example against broad construction, by appealing for new power to the people. If, however, our friends shall think differently, certainly I shall acquiesce with satisfaction; confiding, that the good sense of our country will correct the evil of construction when it shall produce ill effects.

No apologies for writing or speaking to me freely are necessary. On the contrary, nothing my friends can do is so dear to me, and proves to me their friendship so clearly, as the information they give me of their sentiments and those of others on interesting points where I am to act, and where information and warning is so essential to excite in me that due reflection which ought to precede action. I leave this about the 21st, and shall hope the District Court will give me an opportunity of seeing you.

Accept my affectionate salutations, and assurances of cordial esteem and respect.

TH. JEFFERSON.

TO DOCTOR BENJAMIN RUSH.

Washington, October 4, 1803.

DEAR SIR,

No one would more willingly than myself, pay the just tribute due to the services of Captain Barry, by writing a letter of condolence to his widow, as you suggest. But when one undertakes to administer justice, it must be with an even hand, and by rule; what is done for one, must be done for every one in equal degree. To what a train of attentions would this draw a President? How difficult would it be to draw the line between that degree of merit entitled to such a testimonial of it, and that not so entitled? If drawn in a particular case differently from what the friends of the deceased would judge right, what offence would it give, and of the most tender kind? How much offence would be given by accidental inattentions, or want of information? The first step into such an undertaking ought to be well weighed. On the death of Dr. Franklin, the King and Convention of France went into mourning. So did the House of Representatives of the United States: the Senate refused. I proposed to General Washington that the executive department should wear mourning; he declined it, because he said he should not know where to draw the line, if he once began that ceremony. Mr. Adams was then Vice President, and I thought General Washington had his eye on him, whom he certainly did not love. I told him the world had drawn so broad a line between himself and Dr. Franklin, on the one side, and the residue of mankind, on the other, that we might wear mourning for them, and the question still remain new and undecided as to all others. He thought it best, however, to avoid it. On these considerations alone, however well affected to the merit of Commodore Barry, I think it prudent not to engage myself in a practice which may become embarrassing.

Tremendous times in Europe! How mighty this battle of lions and tigers! With what sensations should the common herd of cattle look on it? With no partialities certainly. If they can so far worry one another as to destroy their power of tyrannizing, the one over the earth, the other the waters, the world may perhaps enjoy peace, till they recruit again.

Affectionate and respectful salutations.

TH. JEFFERSON.

TO M. DUPONT DE NEMOURS.

Washington, November 1, 1803.

MY DEAR SIR,

Your favours of April the 6th and June the 27th were duly received, and with the welcome which every thing brings from you. The treaty which has so happily sealed the friendship of our two countries, has been received here with general acclamation. Some inflexible federalists have still ventured to brave the public opinion. It will fix their character with the world and with posterity, who, not descending to the other points of difference between us, will judge them by this fact, so palpable as to speak for itself in all times and places. For myself and my country I thank you for the aids you have given in it: and I congratulate you on having lived to give those aids in a transaction replete with blessings to unborn millions of men, and which will mark the face of a portion on the globe so extensive as that which now composes the United States of America. It is true that at this moment a little cloud hovers in the horizon. The government of Spain has protested against the right of France to transfer; and it is possible she may refuse possession, and that this may bring on acts of force. But against such neighbours as France there, and the United States here, what she can expect from so gross a compound of folly and false faith, is not to be sought in the book of wisdom. She is afraid of her enemies in Mexico; but not more than we are. Our policy will be to form New Orleans and the country on both sides of it on the Gulf of Mexico, into a State; and, as to all above that, to transplant our Indians into it, constituting them a Marechaussée to prevent emigrants crossing the river, until we shall have filled up all the vacant country on this side. This will secure both Spain and us as to the mines of Mexico, for half a century, and we may safely trust the provisions for that time to the men who shall live in it.

I have communicated with Mr. Gallatin on the subject of using your house in any matters of consequence we may have to do at Paris. He is impressed with the same desire I feel to give this mark of our confidence in you, and the sense we entertain of your friendship and fidelity. Mr. Behring informs him that none of the money which will be due from us to him, as the assignee of France, will be wanting at Paris. Be assured that our dispositions are such as to let no occasion pass unimproved of serving you, where occurrences will permit it.

Present my respects to Madame Dupont, and accept yourself assurances of my constant and warm friendship.

TH. JEFFERSON.

TO ROBERT R. LIVINGSTON.

Washington, November 4, 1803.

DEAR SIR,

A report reaches us this day from Baltimore (on probable, but not certain grounds), that Mr. Jerome Buonaparte, brother of the First Consul, was yesterday* married to Miss Patterson of that city. The effect of this measure on the mind of the First Consul, is not for me to suppose; but as it might occur to him, *prima facie*, that the executive of the United States ought to have prevented it, I have thought it advisable to mention the subject to you, that, if necessary, you may by explanations set that idea to rights. You know that by our laws, all persons are free to enter into marriage, if of twenty-one years of age, no one having a power to restrain it, not even their parents; and that under that age, no one can prevent it but the parent or guardian. The lady is under age, and the parents, placed between her affections which were strongly fixed, and the considerations opposing the measure, yielded with pain and anxiety to the former. Mr. Patterson is the President of the bank of Baltimore, the wealthiest man in Maryland, perhaps in the United States, except Mr. Carroll; a man of great virtue and respectability; the mother is the sister of the lady of General Samuel Smith; and, consequently, the station of the family in society is with the first of the United States. These circumstances fix rank in a country where there are no hereditary titles.

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* November 8. It is now said that it did not take place on the 3rd, but will this day.

Your treaty has obtained nearly a general approbation. The federalists spoke and voted against it, but they are now so reduced in their numbers as to be nothing. The question on its ratification in the Senate was decided by twenty-four against seven, which was ten more than enough. The vote in the House of Representatives for making provision for its execution, was carried by eighty-nine against twenty-three, which was a majority of sixty-six, and the necessary bills are going through the Houses by greater majorities. Mr. Pichon, according to instructions from his government, proposed to have added to the ratification a protestation against any failure in time or other circumstances of execution, on our part. He was told, that in that case we should annex a counter protestation, which would leave the thing exactly where it was. That this transaction had been conducted from the commencement of the negotiation to this stage of it, with a frankness and sincerity honourable to both nations, and comfortable to the heart of an honest man to review; that to annex to this last chapter of the transaction such an evidence of mutual distrust, was to change its aspect dishonourably for us both, and contrary to truth as to us: for that we had not the smallest doubt that France would punctually execute its part; and I assured Mr. Pichon that I had more confidence in the word of the First Consul than in all the parchment we could sign. He saw that we had ratified the treaty; that both branches had passed by great majorities one of the bills for execution, and would soon pass the other two; that no circumstances remained that could leave a doubt of our punctual performance; and like an able and an honest minister (which he is in the highest degree), he undertook to do, what he knew his employers would do themselves, were they here spectators of all the existing circumstances, and exchanged the ratifications purely and simply: so that this instrument goes to the world as an evidence of the candour and confidence of the nations in each other, which will have the best effects. This was the more justifiable, as Mr. Pichon knew that Spain had entered with us a protestation against our ratification of the treaty, grounded, first, on the assertion that the First Consul had not executed the conditions of the treaties of cession, and secondly, that he had broken a solemn promise not to alienate the country to any nation. We answered, that these were private questions between France and Spain, which they must settle together; that we derived our title from the First Consul, and did not doubt his guarantee of it: and we, four days ago, sent off orders to the Governor of the Mississippi territory and General Wilkinson, to move down with the troops at hand to New Orleans, to receive the possession from Mr. Laussat. If he is heartily disposed to carry the order of the Consul into execution, he can probably command a volunteer force at New Orleans, and will have the aid of ours also, if he desires it, to take the possession and deliver it to us. If he is not so disposed, *we* shall take the possession, and it will rest with the government of France, by adopting the act as their own, and obtaining the confirmation of Spain, to supply the non-execution of their stipulation to deliver, and to entitle themselves to the complete execution of our part of the agreements. In the mean time, the legislature is passing the bills, and we are preparing every thing to be done on our part towards execution, and we shall not avail ourselves of the three months' delay after possession of the province, allowed by the treaty for the delivery of the stock, but shall deliver it the moment that possession is known here, which will be on the eighteenth day after it has taken place.

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Accept my affectionate salutations, and assurances of my constant esteem and respect.

TH. JEFFERSON.

TO DAVID WILLIAMS.

Washington, November 14, 1803.

SIR,

I have duly received the volume on the claims of literature, which you did me the favour to send me through Mr. Monroe: and have read with satisfaction the many judicious reflections it contains, on the condition of the respectable class of literary men. The efforts for their relief, made by a society of private citizens, are truly laudable: but they are, as you justly observe, but a palliation of an evil, the cure of which calls for all the wisdom and the means of the nation. The greatest evils of populous society have ever appeared to me to spring from the vicious distribution of its members among the occupations called for. I have no doubt that those nations are essentially right, which leave this to individual choice, as a better guide to an advantageous distribution than any other which could be devised. But when by a blind concourse, particular occupations are ruinously overcharged, and others left in want of hands, the national authorities can do much towards restoring the equilibrium. On the revival of letters, learning became the universal favourite. And with reason, because there was not enough of it existing to manage the affairs of a nation to the best advantage, nor to advance its individuals to the happiness of which they were susceptible, by improvements in their minds, their morals, their health, and in those conveniences which contribute to the comfort and embellishment of life. All the efforts of the society, therefore, were directed to the increase of learning, and the inducements of respect, ease, and profit were held up for its encouragement. Even the charities of the nation forgot that misery was their object, and spent themselves in founding schools to transfer to science the hardy sons of the plough. To these incitements were added the powerful fascinations of great cities. These circumstances have long since produced an overcharge in the class of competitors for learned occupation, and great distress among the supernumerary candidates; and the more, as their habits of life have disqualified them for re-entering into the laborious class. The evil cannot be suddenly, nor perhaps ever entirely cured: nor should I presume to say by what means it may be cured. Doubtless there are many engines which the nation might bring to bear on this object. Public opinion, and public encouragement, are among these. The class principally defective is that of agriculture. It is the first in utility, and ought to be the first in respect. The same artificial means which have been used to produce a competition in learning, may be equally successful in restoring agriculture to its primary dignity in the eyes of men. It is a science of the very first order. It counts among its handmaids the most respectable sciences, such as Chemistry, Natural Philosophy, Mechanics, Mathematics generally, Natural History, Botany. In every College and University, a professorship of agriculture, and the class of its students, might be honoured as the first. Young men closing their academical education with this, as the crown of all other sciences, fascinated with its solid charms, and at a time when they are to choose an occupation, instead of crowding the other classes, would return to the farms of their fathers, their own, or those of others, and replenish and invigorate a calling, now languishing under contempt and oppression. The charitable schools, instead of storing their pupils with a lore which the present state of society does not call for, converted into schools of agriculture, might restore them to that branch qualified to enrich and honour themselves, and to increase the productions of the nation instead of consuming them. A gradual abolition of the useless offices, so much accumulated in all governments, might close this drain also from the labours of the field, and lessen the burthens imposed on them. By these, and the better means which will occur to others, the surcharge of the learned, might in time be drawn off to recruit the labouring class of citizens, the sum of industry be increased, and that of misery diminished.

Among the antients, the redundance of population was sometimes checked by exposing infants. To the moderns, America has offered a more humane resource. Many, who cannot find employment in Europe, accordingly come here. Those who can labour do well, for the most part. Of the learned class of emigrants, a small portion find employments analogous to their talents. But many fail, and return to complete their course of misery in the scenes where it began. Even here we find too strong a current from the country to the towns; and instances beginning to appear of that species of misery, which you are so humanely endeavouring to relieve with you. Although we have in the old countries of Europe the lesson of their experience to warn us, yet I am not satisfied we shall have the firmness and wisdom to profit by it. The general desire of men to live by their heads rather than their hands, and the strong allurements of great cities to those who have any turn for dissipation, threaten to make them here as in Europe, the sinks of voluntary misery. I perceive, however, that I have suffered my pen to run into a disquisition, when I had taken it up only to thank you for the volume you had been so kind as to send me, and to express my approbation of it. After apologising, therefore, for having touched on a subject so much more familiar to you, and better understood, I beg leave to assure you of my high consideration and respect.

TH. JEFFERSON.

TO JOHN RANDOLPH.

Washington, December 1, 1803.

DEAR SIR,

The explanations in your letter of yesterday were quite unnecessary to me. I have had too satisfactory proofs of your friendly regard, to be disposed to suspect any thing of a contrary aspect. I understood perfectly the expressions stated in the newspaper to which you allude, to mean, that 'though the proposition came from the *republican quarter* of the House, yet you should not concur with it.' I am aware that in parts of the Union, and even with persons to whom Mr. Eppes and Mr. Randolph are unknown, and myself little known, it will be presumed from their connection, that what comes from them comes from me. No men on earth are more independent in their sentiments than they are, nor any one less disposed than I am to influence the opinions of others. We rarely speak of politics, or of the proceedings of the House, but merely historically, and I carefully avoid expressing an opinion on them, in their presence, that we may all be at our ease. With other members, I have believed that more unreserved communications would be advantageous to the public. This has been, perhaps, prevented by mutual delicacy. I have been afraid to express opinions unasked, lest I should be suspected of wishing to direct the legislative action of members. They have avoided asking communications from me, probably lest they should be suspected of wishing to fish out executive secrets. I see too many proofs of the imperfection of human reason, to entertain wonder or intolerance at any difference of opinion on any subject; and acquiesce in that difference as easily as on a difference of feature or form: experience having long taught me the reasonableness of mutual sacrifices of opinion among those who are to act together for any common object, and the expediency of doing what good we can, when we cannot do all we would wish.

Accept my friendly salutations, and assurances of great esteem and respect.

TH. JEFFERSON.

THOMAS JEFFERSON TO MR. GALLATIN.

The Attorney General having considered and decided, that the prescription in the law for establishing a bank, that the officers in the subordinate offices of discount and deposit, shall be appointed 'on the same terms and in the same manner practised in the principal bank,' does not extend to them the principle of rotation, established by the legislature in the body of directors in the principal bank, it follows that the extension of that principle has been merely a voluntary and prudential act of the principal bank, from which they are free to depart. I think the extension was wise and proper on their part, because the legislature having deemed rotation useful in the principal bank constituted by them, there would be the same reason for it in the subordinate banks to be established by the principal. It breaks in upon the *esprit du corps*, so apt to prevail in permanent bodies; it gives a chance for the public eye penetrating into the sanctuary of those proceedings and practices, which the avarice of the directors may introduce for their personal emolument, and which the resentments of excluded directors, or the honesty of those duly admitted, might betray to the public; and it gives an opportunity, at the end of the year, or at other periods, of correcting a choice, which, on trial, proves to have been unfortunate; an evil of which themselves complain in their distant institutions. Whether, however, they have a power to alter this, or not, the executive has no right to decide; and their consultation with you has been merely an act of complaisance, or from a desire to shield so important an innovation under the cover of executive sanction. But ought we to volunteer our sanction in such a case? Ought we to disarm ourselves of any fair right of animadversion, whenever that institution shall be a legitimate subject of consideration? I own, I think the most proper answer would be, that we do not think ourselves authorised to give an opinion on the question.

From a passage in the letter of the President, I observe an idea of establishing a branch bank of the United States in New Orleans. This institution is one of the most deadly hostility existing, against the principles and form of our constitution. The nation is, at this time, so strong and united in its sentiments, that it cannot be shaken at this moment. But suppose a series of untoward events should occur, sufficient to bring into doubt the competency of a republican government to meet a crisis of great danger, or to unhinge the confidence of the people in the public functionaries; an institution like this, penetrating by its branches every part of the Union, acting by command and in phalanx, may, in a critical moment, upset the government. I deem no government safe which is under the vassalage of any self-constituted authorities, or any other authority than that of the nation, or its regular functionaries. What an obstruction could not this bank of the United States, with all its branch banks, be in time of war? It might dictate to us the peace we should accept, or withdraw its aids. Ought we then to give further growth to an institution so powerful, so hostile? That it is so hostile we know, 1. from a knowledge of the principles of the persons composing the body of directors in every bank, principal or branch, and those of most of the stockholders; 2. from their opposition to the measures and principles of the government, and to the election of those friendly to them; and 3. from the sentiments of the newspapers they support. Now, while we are strong, it is the greatest duty we owe to the safety of our constitution, to bring this powerful enemy to a perfect subordination under its authorities. The first measure would be to reduce them to an equal footing only with other banks, as to the favours of the government. But, in order to be able to meet a general combination of the banks against us, in a critical emergency, could we not make a beginning towards an independent use of our own money, towards holding our own bank in all the deposits where it is received, and letting the Treasurer give his draft or note, for payment at any particular place, which, in a well conducted government, ought to have as much credit as any private draft, or bank note, or bill, and would give us the same facilities which we derive from the banks? I pray you to turn this subject in your mind, and to give it the benefit of your knowledge of details; whereas, I have only very general views of the subject. Affectionate salutations.

Washington, December 13, 1803.

TO DOCTOR PRIESTLEY.

Washington, January 29, 1804.

Dear Sir,

Your favour of December 12th came duly to hand, as did the second letter to Doctor Linn, and the treatise on Phlogiston, for which I pray you to accept my thanks. The copy for Mr. Livingston has been delivered, together with your letter to him, to Mr. Harvie, my secretary, who departs in a day or two for Paris, and will deliver them himself to Mr. Livingston, whose attention to your matter cannot be doubted. I have also to add my thanks to Mr. Priestley, your son, for the copy of your Harmony, which I have gone through with great satisfaction. It is the first I have been able to meet with, which is clear of those long repetitions of the same transaction, as if it were a different one because related with some different circumstances.

I rejoice that you have undertaken the task of comparing the moral doctrines of Jesus with those of the antient Philosophers. You are so much in possession of the whole subject, that you will do it easier and better than any other person living. I think you cannot avoid giving, as preliminary to the comparison, a digest of his moral doctrines, extracted in his own words from the Evangelists, and leaving out every thing relative to his personal history and character. It would be short and precious. With a view to do this for my own satisfaction, I had sent to Philadelphia to get two testaments (Greek) of the same edition, and two English, with a design to cut out the morsels of morality, and paste them on the leaves of a book, in the manner you describe as having been pursued in forming your Harmony. But I shall now get the thing done by better hands.

I very early saw that Louisiana was indeed a speck in our horizon which was to burst in a tornado; and the public are unapprised how near this catastrophe was. Nothing but a frank and friendly development of causes and effects on our part, and good sense enough in Buonaparte to see that the train was unavoidable, and would change the face of the world, saved us from that storm. I did not expect he would yield till a war took place between France and England, and my hope was to palliate and endure, if Messrs. Ross, Morris, &c. did not force a premature rupture, until that event. I believed the event not very distant, but acknowledge it came on sooner than I had expected. Whether, however, the good sense of Buonaparte might not see the course predicted to be necessary and unavoidable, even before a war should be imminent, was a chance which we thought it our duty to try: but the immediate prospect of rupture brought the case to immediate decision. The *denouement* has been happy: and, I confess, I look to this duplication of area for the extending a government so free and economical as ours, as a great achievement to the mass of happiness which is to ensue. Whether we remain in one confederacy, or form into Atlantic and Mississippi confederacies, I believe not very important to the happiness of either part. Those of the western confederacy will be as much our children and descendants as those of the eastern, and I feel myself as much identified with that country, in future time, as with this; and did I now foresee a separation at some future day, yet I should feel the duty and the desire to promote the western interests as zealously as the eastern, doing all the good for both portions of our future family which should fall within my power.

Have you seen the new work of Malthus on population? It is one of the ablest I have ever seen. Although his main object is to delineate the effects of redundancy of population, and to test the poor laws of England, and other palliations for that evil, several important questions in political economy, allied to his subject incidentally, are treated with a masterly hand. It is a single octavo volume, and I have been only able to read a borrowed copy, the only one I have yet heard of. Probably our friends in England will think of you, and give you an opportunity of reading it.

Accept my affectionate salutations, and assurances of great esteem and respect.

TH. JEFFERSON.

TO ELBRIDGE GERRY.

Washington, March 3, 1804.

DEAR SIR,

Although it is long since I received your favour of October the 27th, yet I have not had leisure sooner to acknowledge it. In the middle and southern States, as great an union of sentiment has now taken place as is perhaps desirable. For as there will always be an opposition, I believe it had better be from avowed monarchists than republicans. New York seems to be in danger of republican division; Vermont is solidly with us; Rhode Island with us on anomalous grounds; New Hampshire on the verge of the republican shore; Connecticut advancing towards it very slowly, but with steady step; your State only uncertain of making port at all. I had forgotten Delaware, which will be always uncertain from the divided character of her citizens. If the amendment of the constitution passes Rhode Island (and we expect to hear in a day or two), the election for the ensuing four years seems to present nothing formidable. I sincerely regret that the unbounded calumnies of the federal party have obliged me to throw myself on the verdict of my country for trial, my great desire having been to retire at the end of the present term, to a life of tranquillity; and it was my decided purpose when I entered into office. They force my continuance. If we can keep the vessel of State as steadily in her course for another four years, my earthly purposes will be accomplished, and I shall be free to enjoy, as you are doing, my family, my farm, and my books.

That your enjoyments may continue as long as you shall wish them, I sincerely pray, and tender you my friendly salutations, and assurances of great respect and esteem.

TH. JEFFERSON.

TO GIDEON GRANGER.

Monticello, April 16, 1804.

DEAR SIR,

* * * * * * * * *

In our last conversation you mentioned a federal scheme afloat, of forming a coalition between the federalists and republicans, of what they called the seven eastern States. The idea was new to me, and after time for reflection I had no opportunity of conversing with you again. The federalists know, that, *eo nomine*, they are gone for ever. Their object, therefore, is, how to return into power under some other form. Undoubtedly they have but one means, which is to divide the republicans, join the minority, and barter with them for the cloak of their name. I say, *join the minority;* because the majority of the republicans not needing them, will not buy them. The minority, having no other means of ruling the majority, will give a price for auxiliaries, and that price must be principle. It is true that the federalists, needing their numbers also, must also give a price, and principle is the coin they must pay in. Thus a bastard system of federo-republicanism will rise on the ruins of the true principles of our revolution. And when this party is formed, who will constitute the majority of it, which majority is then to dictate? Certainly the federalists. Thus their proposition of putting themselves into gear with the republican minority, is exactly like Roger Sherman's proposition to add Connecticut to Rhode Island. The idea of forming seven eastern States is moreover clearly to form the basis of a separation of the Union. Is it possible that real republicans can be gulled by such a bait? And for what? What do they wish that they have not? Federal measures? That is impossible. Republican measures? Have they them not? Can any one deny, that in all important questions of principle, republicanism prevails? But do they want that their individual will shall govern the majority? They may purchase the gratification of this unjust wish, for a little time, at a great price; but the federalists must not have the passions of other men, if, after getting thus into the seat of power, they suffer themselves to be governed by their minority. This minority may say, that whenever they relapse into their own principles, they will quit them and draw the seat from under them. They may quit them, indeed, but, in the mean time, all the venal will have become associated with them, and will give them a majority sufficient to keep them in place, and to enable them to eject the heterogeneous friends by whose aid they get again into power. I cannot believe any portion of real republicans will enter into this trap; and if they do, I do not believe they can carry with them the mass of their States, advancing so steadily as we see them, to an union of principle with their brethren. It will be found in this, as in all other similar cases, that crooked schemes will end by overwhelming their authors and coadjutors in disgrace, and that he alone who walks strict and upright, and who, in matters of opinion, will be contented that others should be as free as himself, and acquiesce when his opinion is fairly overruled, will attain his object in the end. And that this may be the conduct of us all, I offer my sincere prayers, as well as for your health and happiness.

TH. JEFFERSON.

TO MRS. ADAMS.

Washington, June 13, 1804.

DEAR MADAM,

The affectionate sentiments which you have had the goodness to express in your letter of May the 20th, towards my dear departed daughter, have awakened in me sensibilities natural to the occasion, and recalled your kindnesses to her, which I shall ever remember with gratitude and friendship. I can assure you with truth, they had made an indelible impression on her mind, and that to the last, on our meetings after long separations, whether I had heard lately of you, and how you did, were among the earliest of her inquiries. In giving you this assurance I perform a sacred duty for her, and, at the same time, am thankful for the occasion furnished me, of expressing my regret that circumstances should have arisen, which have seemed to draw a line of separation between us. The friendship with which you honoured me has ever been valued, and fully reciprocated; and although events have been passing which might be trying to some minds, I never believed yours to be of that kind, nor felt that my own was. Neither my estimate of your character, nor the esteem founded in that, has ever been lessened for a single moment, although doubts whether it would be acceptable may have forbidden manifestations of it.

Mr. Adams's friendship and mine began at an earlier date. It accompanied us through long and important scenes. The different conclusions we had drawn from our political reading and reflections, were not permitted to lessen mutual esteem; each party being conscious they were the result of an honest conviction in the other. Like differences of opinion existing among our fellow citizens, attached them to the one or the other of us, and produced a rivalship in their minds which did not exist in ours. We never stood in one another's way: for if either had been withdrawn at any time, his favourers would not have gone over to the other, but would have sought for some one of homogeneous opinions. This consideration was sufficient to keep down all jealousy between us, and to guard our friendship from any disturbance by sentiments of rivalship: and I can say with truth, that one act of Mr. Adams's life, and one only, ever gave me a moment's personal displeasure. I did consider his last appointments to office as personally unkind. They were from among my most ardent political enemies, from whom no faithful co-operation could ever be expected; and laid me under the embarrassment of acting through men whose views were to defeat mine, or to encounter the odium of putting others in their places. It seems but common justice to leave a successor free to act by instruments of his own choice. If my respect for him did not permit me to ascribe the whole blame to the influence of others, it left something for friendship to forgive, and after brooding over it for some little time, and not always resisting the expression of it, I forgave it cordially, and returned to the same state of esteem and respect for him which had so long subsisted. Having come into life a little later than Mr. Adams, his career has preceded mine, as mine is followed by some other; and it will probably be closed at the same distance after him which time originally placed between us. I maintain for him, and shall carry into private life, an uniform and high measure of respect and good will, and for yourself a sincere attachment.

I have thus, my dear Madam, opened myself to you without reserve, which I have long wished an opportunity of doing; and, without knowing how it will be received, I feel relief from being unbosomed. And I have now only to entreat your forgiveness for this transition from a subject of domestic affliction, to one which seems of a different aspect. But though connected with political events, it has been viewed by me most strongly in its unfortunate bearings on my private friendships. The injury these have sustained has been a heavy price for what has never given me equal pleasure. That you may both be favoured with health, tranquillity, and long life, is the prayer of one who tenders you the assurance of his highest consideration and esteem.

Th. Jefferson.

TO GOVERNOR PAGE.

Washington, June 25, 1804.

Your letter, my dear friend, of the 25th ultimo, is a new proof of the goodness of your heart, and the part you take in my loss marks an affectionate concern for the greatness of it. It is great indeed. Others may lose of their abundance, but I, of my want, have lost even the half of all I had. My evening prospects now hang on the slender thread of a single life. Perhaps I may be destined to see even this last cord of parental affection broken! The hope with which I had looked forward to the moment, when, resigning public cares to younger hands, I was to retire to that domestic comfort from which the last great step is to be taken, is fearfully blighted. When you and I look back on the country over which we have passed, what a field of slaughter does it exhibit! Where are all the friends who entered it with us, under all the inspiring energies of health and hope? As if pursued by the havoc of war, they are strewed by the way, some earlier, some later, and scarce a few stragglers remain to count the numbers fallen, and to mark yet, by their own fall, the last footsteps of their party. Is it a desirable thing to bear up through the heat of the action, to witness the death of all our companions, and merely be the last victim? I doubt it. We have, however, the traveller's consolation. Every step shortens the distance we have to go; the end of our journey is in sight, the bed wherein we are to rest, and to rise in the midst of the friends we have lost. 'We sorrow not then as others who have no hope;' but look forward to the day which 'joins us to the great majority.' But whatever is to be our destiny, wisdom as well as duty, dictates that we should acquiesce in the will of Him whose it is to give and take away, and be contented in the enjoyment of those who are still permitted to be with us. Of those connected by blood, the number does not depend on us. But friends we have, if we have merited them. Those of our earliest years stand nearest in our affections. But in this too, you and I have been unlucky. Of our college friends (and they are the dearest) how few have stood with us in the great political questions which have agitated our country: and these were of a nature to justify agitation. I did not believe the Lilliputian fetters of that day strong enough to have bound so many. Will not Mrs. Page, yourself, and family, think it prudent to seek a healthier region for the months of August and September? And may we not flatter ourselves that you will cast your eye on Monticello? We have not many summers to live. While fortune places us then within striking distance, let us avail ourselves of it, to meet and talk over the tales of other times.

Present me respectfully to Mrs. Page, and accept yourself my friendly salutations, and assurances of constant affection.

TH. JEFFERSON.

TO P. MAZZEI.

Washington, July 18, 1804.

My Dear Sir,

It is very long, I know, since I wrote you. So constant is the pressure of business that there is never a moment, scarcely, that something of public importance is not waiting for me. I have, therefore, on a principle of conscience, thought it my duty to withdraw almost entirely from all private correspondence, and chiefly the trans-Atlantic; I scarcely write a letter a year to any friend beyond sea. Another consideration has led to this, which is, the liability of my letters to miscarry, be opened, and made ill use of. Although the great body of our country are perfectly returned to their antient principles, yet there remains a phalanx of old tories and monarchists, more envenomed, as all their hopes become more desperate. Every word of mine which they can get hold of, however innocent, however orthodox even, is twisted, tormented, perverted, and, like the words of holy writ, are made to mean every thing but what they were intended to mean. I trust little, therefore, unnecessarily in their way, and especially on political subjects. I shall not, therefore, be free to answer all the several articles of your letters.

On the subject of treaties, our system is to have none with any nation, as far as can be avoided. The treaty with England has therefore not been renewed, and all overtures for treaty with other nations have been declined. We believe, that with nations, as with individuals, dealings may be carried on as advantageously, perhaps more so, while their continuance depends on a voluntary good treatment, as if fixed by a contract, which, when it becomes injurious to either, is made, by forced constructions, to mean what suits them, and becomes a cause of war instead of a bond of peace. We wish to be on the closest terms of friendship with Naples, and we will prove it by giving to her citizens, vessels, and goods, all the privileges of the most favoured nation; and while we do this voluntarily, we cannot doubt they will voluntarily do the same for us. Our interests against the Barbaresques being also the same, we have little doubt she will give us every facility to insure them, which our situation may ask and hers admit. It is not, then, from a want of friendship that we do not propose a treaty with Naples, but because it is against our system to embarrass ourselves with treaties, or to entangle ourselves at all with the affairs of Europe. The kind offices we receive from that government are more sensibly felt, as such, than they would be, if rendered only as due to us by treaty.

Five fine frigates left the Chesapeake the 1st instant for Tripoli, which, in addition to the force now there, will, I trust, recover the credit which Commodore Morris's two years' sleep lost us, and for which he has been broke. I think they will make Tripoli sensible, that they mistake their interest in choosing war with us; and Tunis also, should she have declared war as we expect, and almost wish.

Notwithstanding this little diversion, we pay seven or eight millions of dollars annually of our public debt, and shall completely discharge it in twelve years more. That done, our annual revenue, now thirteen millions of dollars, which by that time will be twenty-five, will pay the expenses of any war we may be forced into, without new taxes or loans. The spirit of republicanism is now in almost all its antient vigour, five-sixths of the people being with us. Fourteen of the seventeen States are completely with us, and two of the other three will be in one year. We have now got back to the ground on which you left us. I should have retired at the end of the first four years, but that the immense load of tory calumnies, which have been manufactured respecting me, and have filled the European market, have obliged me to appeal once more to my country for a justification. I have no fear but that I shall receive honourable testimony by their verdict on those calumnies. At the end of the next four years I shall certainly retire. Age, inclination, and principle, all dictate this. My health, which at one time threatened an unfavourable turn, is now firm. The acquisition of Louisiana, besides doubling our extent, and trebling our quantity of fertile country, is of incalculable value, as relieving us from the danger of war. It has enabled us to do a handsome thing for Fayette. He had received a grant of between eleven and twelve thousand acres north of the Ohio, worth, perhaps, a dollar an acre. We have obtained permission of Congress to locate it in Louisiana. Locations can be found adjacent to the city of New Orleans, in the island of New Orleans, and in its vicinity, the value of which cannot be calculated. I hope it will induce him to come over and settle there with his family. Mr. Livingston having asked leave to return, General Armstrong, his brother-in-law, goes in his place: he is of the first order of talents.

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Remarkable deaths lately, are, Samuel Adams, Edmund

Pendleton, Alexander Hamilton, Stephens Thompson Mason, Mann Page, Bellini, and Parson Andrews. To these I have the inexpressible grief of adding the name of my youngest daughter, who had married a son of Mr. Eppes, and has left two children. My eldest daughter alone remains to me, and has six children. This loss has increased my anxiety to retire, while it has dreadfully lessened the comfort of doing it. Wythe, Dickinson, and Charles Thompson are all living, and are firm republicans. You informed me formerly of your marriage, and your having a daughter, but have said nothing in your late letters on that subject. Yet whatever concerns your happiness is sincerely interesting to me, and is a subject of anxiety, retaining, as I do, cordial sentiments of esteem and affection for you. Accept, I pray you, my sincere assurances of this, with my most friendly salutations.

TH. JEFFERSON.

TO MRS. ADAMS.

Washington, July 22, 1804.

DEAR MADAM,

Your favour of the 1st instant was duly received, and I would not again have intruded on you, but to rectify certain facts which seem not to have been presented to you under their true aspect. My charities to Callendar are considered as rewards for his calumnies. As early, I think, as 1796, I was told in Philadelphia that Callendar, the author of the Political Progress of Britain, was in that city, a fugitive from persecution for having written that book, and in distress. I had read and approved the book; I considered him as a man of genius, unjustly persecuted. I knew nothing of his private character, and immediately expressed my readiness to contribute to his relief, and to serve him. It was a considerable time after, that, on application from a person who thought of him as I did, I contributed to his relief, and afterwards repeated the contribution. Himself I did not see till long after, nor ever more than two or three times. When he first began to write, he told some useful truths in his coarse way; but nobody sooner disapproved of his writing than I did, or wished more that he would be silent. My charities to him were no more meant as encouragements to his scurrilities, than those I give to the beggar at my door are meant as rewards for the vices of his life, and to make them chargeable to myself. In truth, they would have been greater to him, had he never written a word after the work for which he fled from Britain. With respect to the calumnies and falsehoods which writers and printers at large published against Mr. Adams, I was as far from stooping to any concern or approbation of them, as Mr. Adams was respecting those of Porcupine, Fenno, or Russel, who published volumes against me for every sentence vended by their opponents against Mr. Adams. But I never supposed Mr. Adams had any participation in the atrocities of these editors, or their writers. I knew myself incapable of that base warfare, and believed him to be so. On the contrary, whatever I may have thought of the acts of the administration of that day, I have ever borne testimony to Mr. Adams's personal worth; nor was it ever impeached in my presence, without a just vindication of it on my part. I never supposed that any person who knew either of us, could believe that either of us meddled in that dirty work. But another fact is, that I 'liberated a wretch who was suffering for a libel against Mr. Adams.' I do not know who was the particular wretch alluded to; but I discharged every person under punishment or prosecution under the sedition law, because I considered, and now consider, that law to be a nullity, as absolute and as palpable as if Congress had ordered us to fall down and worship a golden image; and that it was as much my duty to arrest its execution in every stage, as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship the image. It was accordingly done in every instance, without asking what the offenders had done, or against whom they had offended, but whether the pains they were suffering were inflicted under the pretended sedition law. It was certainly possible that my motives for contributing to the relief of Callendar, and liberating sufferers under the sedition law, might have been to protect, encourage, and reward slander; but they may also have been those which inspire ordinary charities to objects of distress, meritorious or not, or the obligation of an oath to protect the constitution, violated by an unauthorised act of Congress. Which of these were my motives, must be decided by a regard to the general tenor of my life. On this I am not afraid to appeal to the nation at large, to posterity, and still less to that Being who sees himself our motives, who will judge us from his own knowledge of them, and not on the testimony of Porcupine or Fenno.

You observe, there has been one other act of my administration personally unkind, and suppose it will readily suggest itself to me. I declare on my honour, Madam, I have not the least conception what act is alluded to. I never did a single one with an unkind intention. My sole object in this letter being to place before your attention, that the acts imputed to me are either such as are falsely imputed, or as might flow from good as well as bad motives, I shall make no other addition, than the assurances of my continued wishes for the health and happiness of yourself and Mr. Adams.

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, August 15, 1804.

DEAR SIR,

Your letter dated the 7th should probably have been of the 14th, as I received it only by that day's post. I return you Monroe's letter, which is of an awful complexion; and I do not wonder the communications it contains made some impression on him. To a person placed in Europe, surrounded by the immense resources of the nations there, and the greater wickedness of their courts, even the limits which nature imposes on their enterprises are scarcely sensible. It is impossible that France and England should combine for any purpose; their mutual distrust and deadly hatred of each other admit no co-operation. It is impossible that England should be willing to see France repossess Louisiana, or get footing on our continent, and that France should willingly see the United States reannexed to the British dominions. That the Bourbons should be replaced on their throne and agree to any terms of restitution, is possible; but that they and England joined, could recover us to British dominion, is impossible. If these things are not so, then human reason is of no aid in conjecturing the conduct of nations. Still, however, it is our unquestionable interest and duty to conduct ourselves with such sincere friendship and impartiality towards both nations, as that each may see unequivocally, what is unquestionably true, that we may be very possibly driven into her scale by unjust conduct in the other. I am so much impressed with the expediency of putting a termination to the right of France to patronise the rights of Louisiana, which will cease with their complete adoption as citizens of the United States, that I hope to see that take place on the meeting of Congress. I inclose you a paragraph from a newspaper respecting St. Domingo, which gives me uneasiness. Still I conceive the British insults in our harbour as more threatening. We cannot be respected by France as a neutral nation, nor by the world or ourselves as an independent one, if we do not take effectual measures to support, at every risk, our authority in our own harbours. I shall write to Mr. Wagner directly (that a post may not be lost by passing through you) to send us blank commissions for Orleans and Louisiana, ready sealed, to be filled up, signed and forwarded by us. Affectionate salutations and constant esteem.

TH. JEFFERSON.

TO GOVERNOR CLAIBORNE.

Monticello, August 30, 1804.

DEAR SIR,

Various circumstances of delay have prevented my forwarding till now, the general arrangements of the government of the territory of Orleans. Inclosed herewith you will receive the commissions. Among these is one for yourself as Governor. With respect to this I will enter into frank explanations. This office was originally destined for a person * whose great services and established fame would have rendered him peculiarly acceptable to the nation at large. Circumstances, however, exist, which do not now permit his nomination, and perhaps may not at any time hereafter. That, therefore, being suspended and entirely contingent, your services have been so much approved as to leave no desire to look elsewhere to fill the office. Should the doubts you have sometimes expressed, whether it would be eligible for you to continue, still exist in your mind, the acceptance of the commission gives you time to satisfy yourself by further experience, and to make the time and manner of withdrawing, should you ultimately determine on that, agreeable to yourself. Be assured that whether you continue or retire, it will be with every disposition on my part to be just and friendly to you.

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I salute you with friendship and respect.

TH. JEFFERSON.

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* In the margin is written by the author, 'La Fayette.'

TO MRS. ADAMS.

Monticello, September 11, 1804.

Your letter, Madam, of the 18th of August has been some days received, but a press of business has prevented the acknowledgment of it: perhaps, indeed, I may have already trespassed too far on your attention. With those who wish to think amiss of me, I have learned to be perfectly indifferent; but where I know a mind to be ingenuous, and to need only truth to set it to rights, I cannot be as passive. The act of personal unkindness alluded to in your former letter, is said in your last to have been the removal of your eldest son from some office to which the judges had appointed him. I conclude then he must have been a commissioner of bankruptcy. But I declare to you, on my honour, that this is the first knowledge I have ever had that he was so. It may be thought, perhaps, that I ought to have inquired who were such, before I appointed others. But it is to be observed, that the former law permitted the judges to name commissioners occasionally only, for every case as it arose, and not to make them permanent officers. Nobody, therefore, being in office, there could be no removal. The judges, you well know, have been considered as highly federal; and it was noted that they confined their nominations exclusively to federalists. The legislature, dissatisfied with this, transferred the nomination to the President, and made the offices permanent. The very object in passing the law was, that he should correct, not confirm, what was deemed the partiality of the judges. I thought it, therefore, proper to inquire, not whom they had employed, but whom I ought to appoint to fulfil the intentions of the law. In making these appointments, I put in a proportion of federalists, equal, I believe, to the proportion they bear in numbers through the Union generally. Had I known that your son had acted, it would would have been a real pleasure to me to have preferred him to some who were named in Boston, in what was deemed the same line of politics. To this I should have been led by my knowledge of his integrity, as well as my sincere dispositions towards yourself and Mr. Adams.

You seem to think it devolved on the judges to decide on the validity of the sedition law. But nothing in the constitution has given them a right to decide for the executive, more than to the executive to decide for them. Both magistracies are equally independent in the sphere of action assigned to them. The judges, believing the law constitutional, had a right to pass a sentence of fine and imprisonment; because the power was placed in their hands by the constitution. But the executive, believing the law to be unconstitutional, were bound to remit the execution of it; because that power has been confided to them by the constitution. That instrument meant that its co-ordinate branches should be checks on each other. But the opinion which gives to the judges the right to decide what laws are constitutional, and what not, not only for themselves in their own sphere of action, but for the legislature and executive also, in their spheres, would make the judiciary a despotic branch. Nor does the opinion of the unconstitutionality, and consequent nullity of that law, remove all restraint from the overwhelming torrent of slander, which is confounding all vice and virtue, all truth and falsehood, in the United States. The power to do that is fully possessed by the several State legislatures. It was reserved to them, and was denied to the General Government, by the constitution, according to our construction of it. While we deny that Congress have a right to control the freedom of the press, we have ever asserted the right of the States, and their exclusive right, to do so. They have accordingly, all of them, made provisions for punishing slander, which those who have time and inclination, resort to for the vindication of their characters. In general, the State laws appear to have made the presses responsible for slander as far as is consistent with its useful freedom. In those States where they do not admit even the truth of allegations to protect the printer, they have gone too far.

The candour manifested in your letter, and which I ever believed you to possess, has alone inspired the desire of calling your attention, once more, to those circumstances of fact and motive by which I claim to be judged. I hope you will see these intrusions on your time to be, what they really are, proofs of my great respect for you. I tolerate with the utmost latitude the right of others to differ from me in opinion without imputing to them criminality. I know too well the weakness and uncertainty of human reason to wonder at its different results. Both of our political parties, at least the honest part of them, agree conscientiously in the same object, the public good: but they differ essentially in what they deem the means of promoting that good. One side believes it best done by one composition of the governing powers; the other, by a different one. One fears most the ignorance of the people; the other, the selfishness of rulers independent of them. Which is right, time and experience will prove. We think that one side of this experiment has been long enough tried, and proved not to promote the good of the many: and that the other has not been fairly and sufficiently tried. Our opponents think the reverse. With whichever opinion the body of the nation concurs, that must prevail. My anxieties on this subject will never carry me beyond the use of fair and honourable means, of truth and reason; nor have they ever lessened my esteem for moral worth, nor alienated my affections from a single friend, who did not first withdraw himself. Wherever this has happened, I confess I have not been insensible to it: yet have ever kept myself open to a return of their justice. I conclude with sincere prayers for your health and happiness, that yourself and Mr. Adams may long enjoy the tranquillity you desire and merit, and see in the prosperity of your family what is the consummation of the last and warmest of human wishes.

TH. JEFFERSON.

TO MR. NICHOLSON.

Washington, January 29, 1805.

DEAR SIR,

Mr. Eppes has this moment put into my hands your letter of yesterday, asking information on the subject of the gun-boats proposed to be built. I lose no time in communicating to you fully my whole views respecting them, premising a few words on the system of fortifications. Considering the harbours which, from their situation and importance, are entitled to defence, and the estimates we have seen of the fortifications planned for some of them, this system cannot be completed on a moderate scale for less than fifty millions of dollars, nor manned in time of war, with less than fifty thousand men, and in peace, two thousand. And when done they avail little; because all military men agree, that wherever a vessel may pass a fort without tacking under her guns, which is the case at all our sea-port towns, she may be annoyed more or less, according to the advantages of the position, but can never be prevented. Our own experience during the war proved this on different occasions. Our predecessors have, nevertheless, proposed to go into this system, and had commenced it. But no law requiring us to proceed, we have suspended it.

If we cannot hinder vessels from entering our harbours, we should turn our attention to the putting it out of their power to lie, or come to, before a town, to injure it. Two means of doing this may be adopted in aid of each other. 1. Heavy cannon on travelling carriages, which may be moved to any point on the bank or beach most convenient for dislodging the vessel. A sufficient number of these should be lent to each sea-port town, and their militia trained to them. The executive is authorised to do this; it has been done in a smaller degree, and will now be done more competently.

2. Having cannon on floating batteries or boats, which may be so stationed as to prevent a vessel entering the harbour, or force her after entering to depart. There are about fifteen harbours in the United States which ought to be in a state of substantial defence. The whole of these would require, according to the best opinions, two hundred and forty gun-boats. Their cost was estimated, by Captain Rogers, at two thousand dollars each; but we had better say four thousand dollars. The whole would cost one million of dollars. But we should allow ourselves ten years to complete it, unless circumstances should force it sooner. There are three situations in which the gun-boat may be. 1. Hauled up under a shed, in readiness to be launched, and manned by the seamen and militia of the town on short notice. In this situation she costs nothing but an inclosure, or a centinel to see that no mischief is done to her. 2. Afloat, and with men enough to navigate her in harbour and take care of her, but depending on receiving her crew from the town on short warning. In this situation, her annual expense is about two thousand dollars, as by an official estimate at the end of this letter. 3. Fully manned for action. Her annual expense in this situation is about eight thousand dollars, as per estimate subjoined. When there is general peace, we should probably keep about six or seven afloat in the second situation; their annual expense twelve to fourteen thousand dollars; the rest all hauled up. When France and England are at war, we should keep, at the utmost, twenty-five in the second situation, their annual expense fifty thousand dollars. When we should be at war ourselves, some of them would probably be kept in the third situation, at an annual expense of eight thousand dollars; but how many, must depend on the circumstances of the war. We now possess ten, built and building. It is the opinion of those consulted, that fifteen more would enable us to put every harbour under our view into a respectable condition; and that this should limit the views of the present year. This would

require an appropriation of sixty thousand dollars, and I suppose *that* the best way of limiting it, without declaring the number, as perhaps that sum would build more. I should think it best not to give a detailed report, which exposes our policy too much. A bill, with verbal explanations, will suffice for the information of the House. I do not know whether General Wilkinson would approve the printing his paper. If he would, it would be useful.

Accept affectionate and respectful salutations.

TH. JEFFERSON.

TO MR. VOLNEY.

Washington, February 8, 1805.

DEAR SIR,

Your letter of November the 26th came to hand May the 14th; the books some time after, which were all distributed according to direction. The copy for the East Indies went immediately by a safe conveyance. The letter of April the 28th, and the copy of your work accompanying that, did not come to hand till August. That copy was deposited in the Congressional library. It was not till my return here from my autumnal visit to Monticello, that I had an opportunity of reading your work. I have read it, and with great satisfaction. Of the first part I am less a judge than most people, having never travelled westward of Staunton, so as to know any thing of the face of the country; nor much indulged myself in geological inquiries, from a belief that the skin-deep scratches which we can make or find on the surface of the earth, do not repay our time with as certain and useful deductions, as our pursuits in some other branches. The subject of our winds is more familiar to me. On that, the views you have taken are always great, supported in their outlines by your facts; and though more extensive observations, and longer continued, may produce some anomalies, yet they will probably take their place in this first great canvass which you have sketched. In no case, perhaps, does habit attach our choice or judgment more than in climate. The Canadian glows with delight in his sleigh and snow, the very idea of which gives me the shivers. The comparison of climate between Europe and North America, taking together its corresponding parts, hangs chiefly on three great points. 1. The changes between heat and cold in America, are greater and more frequent, and the extremes comprehend a greater scale on the thermometer in America than in Europe. Habit, however, prevents these from affecting us more than the smaller changes of Europe affect the European. But he is greatly affected by ours. 2. Our sky is always clear; that of Europe always cloudy. Hence a greater accumulation of heat here than there, in the same parallel. 3. The changes between wet and dry are much more frequent and sudden in Europe than in America. Though we have double the rain, it falls in half the time. Taking all these together, I prefer much the climate of the United States to that of Europe. I think it a more cheerful one. It is our cloudless sky which has eradicated from our constitutions all disposition to hang ourselves, which we might otherwise have inherited from our English ancestors. During a residence of between six and seven years in Paris, I never, but once, saw the sun shine through a whole day, without being obscured by a cloud in any part of it: and I never saw the moment, in which, viewing the sky through its whole atmosphere, I could say there was not the smallest speck of a cloud in it. I arrived at Monticello, on my return from France, in January, and during only two months' stay there, I observed to my daughters, who had been with me to France, that twenty odd times, within that term, there was not a speck of a cloud in the whole hemisphere. Still I do not wonder that an European should prefer his grey to our azure sky. Habit decides our taste in this, as in most other cases.

The account you give of the yellow fever is entirely agreeable to what we then knew of it. Further experience has developed more and more its peculiar character. Facts appear to have established that it is originated here by a local atmosphere, which is never generated but in the lower, closer, and dirtier parts of our large cities, in the neighbourhood of the water; and that, to catch the disease, you must enter the local atmosphere. Persons having taken the disease in the infected quarter, and going into the country, are nursed and buried by their friends, without an example of communicating it. A vessel going from the infected quarter, and carrying its atmosphere in its hold into another State, has given the disease to every person who there entered her. These have died in the arms of their families without a single communication of the disease. It is certainly, therefore, an epidemic, not a contagious disease; and calls on the chemists for some mode of purifying the vessel by a decomposition of its atmosphere, if ventilation be found insufficient. In the long scale of bilious fevers, graduated by many shades, this is probably the last and most mortal term. It seizes the native of the place equally with strangers. It has not been long known in any part of the United States. The shade next above it, called the stranger's fever, has been coeval with the settlement of the larger cities in the southern parts, to wit, Norfolk, Charleston, New Orleans. Strangers going to these places in the months of July, August, or September, find this fever as mortal as the genuine yellow fever; but it rarely attacks those who have resided in them some time. Since we have known that kind of yellow fever which is no respecter of persons, its name has been extended to the stranger's fever, and every species of bilious fever which produces a black vomit, that is to say, a discharge of very dark bile. Hence we hear of yellow fever on the Alleganey mountains, in Kentucky, &c. This is a matter of definition only; but it leads into error those who do not know how loosely and how interestedly some physicians think and speak. So far as we have yet seen, I think we are correct in saying, that the yellow fever, which seizes on all indiscriminately, is an ultimate degree of bilious fever, never known in the United States till lately, nor farther south, as yet, than Alexandria; and that what they have recently called the yellow fever, in New Orleans, Charleston, and Norfolk, is what has always been known in those places as confined chiefly to strangers, and nearly as mortal *to them*, as the other is to *all* its subjects. But both grades are local: the stranger's fever less so, as it sometimes extends a little into the neighbourhood; but the yellow fever rigorously so, confined within narrow and well-defined limits, and not communicable out of those limits. Such a constitution of atmosphere being requisite to originate this disease as is generated only in low, close, and ill-cleansed parts of a town, I have supposed it practicable to prevent its generation by building our cities on a more open plan. Take, for instance, the chequer board for a plan. Let the black squares only be building squares, and the white ones be left open, in turf and trees. Every square of houses will be surrounded by four open squares, and every house will front an open square. The atmosphere of such a town would be like that of the country, insusceptible of the miasmata which produce yellow fever. I have accordingly proposed that the enlargements of the city of New Orleans, which must immediately take place, shall be on this plan. But it is only in case of enlargements to be made, or of cities to be built, that such means of prevention can be employed.

The *genus irritabile vatum* could not let the author of the Ruins publish a new work, without seeking in it the means of discrediting that puzzling composition. Some one of those holy calumniators has selected from your new work every scrap of a sentence which, detached from its context, could displease an American reader. A cento has been made of these, which has run through a particular description of newspapers, and excited a disapprobation, even in friendly minds, which nothing but the reading of the book will cure. But time and truth will at length correct error.

Our countrymen are so much occupied in the busy scenes of life that they have little time to write or invent. A good invention here, therefore, is such a rarity as it is lawful to offer to the acceptance of a friend. A Mr. Hawkins, of Frankford, near Philadelphia, has invented a machine which he calls a polygraph, and which carries two, three, or four pens. That of two pens, with which I am now writing, is best, and is so perfect that I have laid aside the copying-press for a twelvemonth past, and write always with a polygraph. I have directed one to be made, of which I ask your acceptance. By what conveyance I shall send it, while Havre is blockaded, I do not yet know. I think you will be pleased with it, and will use it habitually, as I do; because it requires only that degree of mechanical attention which I know you to possess. I am glad to hear that M. Cabanis is engaged in writing on the reformation of medicine. It needs the hand of a reformer, and cannot be in better hands than his. Will you permit my respects to him and the Abbé de la Roche to find a place here?

A word now on our political state. The two parties which prevailed with so much violence when you were here, are almost wholly melted into one. At the late Presidential election, I have received one hundred and sixty-two votes against fourteen only. Connecticut is still federal by a small majority; and Delaware on a poise, as she has been since 1775, and will be till Anglomany with her yields to Americanism. Connecticut will be with us in a short time. Though the people in mass have joined us, their leaders had committed themselves too far to retract. Pride keeps them hostile; they brood over their angry passions, and give them vent in the newspapers which they maintain. They still make as much noise as if they were the whole nation. Unfortunately, these being the mercantile papers, published chiefly in the sea-ports, are the only ones which find their way to Europe, and make very false impressions there. I am happy to hear that the late derangement of your health is going off, and that you are re-established. I sincerely pray for the continuance of that blessing, and, with my affectionate salutations, tender you assurances of great respect and attachment.

TH. JEFFERSON.

P. S. The sheets which you receive are those of the copying pen of the polygraph, not of the one with which I have written.

TO JUDGE TYLER.

Monticello, March 29, 1805.

DEAR SIR,

Your favour of the 17th found me on a short visit to this place, and I observe in it with great pleasure a continuance of your approbation of the course we are pursuing, and particularly the satisfaction you express with the last inaugural address. The first was, from the nature of the case, all profession and promise. Performance, therefore, seemed to be the proper office of the second; but the occasion restricted me to mention only the most prominent heads, and the strongest justification of these in the fewest words possible. The crusade preached against philosophy by the modern disciples of steady habits, induced me to dwell more in shewing its effect with the Indians than the subject otherwise justified.

The war with Tripoli stands on two grounds of fact. 1st. It is made known to us by our agents with the three other Barbary States, that they only wait to see the event of this, to shape their conduct accordingly. If the war is ended by additional tribute, they mean to offer us the same alternative. 2ndly. If peace was made, we should still, and shall ever, be obliged to keep a frigate in the Mediterranean to overawe rupture, or we must abandon that market. Our intention in sending Morris with a respectable force, was to try whether peace could be forced by a coercive enterprise on their town. His inexecution of orders baffled that effort. Having broke him, we try the same experiment under a better commander. If, in the course of the summer, they cannot produce peace, we shall recall our force, except one frigate and two small vessels, which will keep up a perpetual blockade. Such a blockade will cost us no more than a state of peace, and will save us from increased tributes, and the disgrace attached to them. There is reason to believe the example we have set begins already to work on the dispositions of the powers of Europe to emancipate themselves from that degrading yoke. Should we produce such a revolution there, we shall be amply rewarded for what we have done. Accept my friendly salutations, and assurances of great respect and esteem.

TH. JEFFERSON.

TO DR. LOGAN.

Washington, May 11, 1806.

DEAR SIR,

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I see, with infinite pain, the bloody schism which has taken place among our friends in Pennsylvania and New York, and will probably take place in other States. The main body of both sections mean well, but their good intentions will produce great public evil. The minority, whichever section shall be the minority, will end in coalition with the federalists, and some compromise of principle; because these will not sell their aid for nothing. Republicanism will thus lose, and royalism gain, some portion of that ground which we thought we had rescued to good government. I do not express my sense of our misfortunes from any idea that they are remediable. I know that the passions of men will take their course, that they are not to be controlled but by despotism, and that this melancholy truth is the pretext for despotism. The duty of an upright administration is to pursue its course steadily, to know nothing of these family dissensions, and to cherish the good principles of both parties. The war *ad internecionem*, which we have waged against federalism has filled our latter times with strife and unhappiness. We have met it, with pain indeed, but with firmness, because we believed it the last convulsive effort of that Hydra, which in earlier times we had conquered in the field. But if any degeneracy of principle should ever render it necessary to give ascendancy to one of the rising sections over the other, I thank my God it will fall to some other to perform that operation. The only cordial I wish to carry into my retirement, is the undivided good will of all those with whom I have acted.

Present me affectionately to Mrs. Logan, and accept my salutations, and assurances of constant friendship and respect.

TH. JEFFERSON.

TO JUDGE SULLIVAN.

Washington, May 21, 1805.

DEAR SIR,

An accumulation of business, which I found on my return here from a short visit to Monticello, has prevented till now my acknowledgment of your favour of the 14th ultimo. This delay has given time to see the result of the contest in your State, and I cannot but congratulate you on the advance it manifests, and the certain prospect it offers that another year restores Massachusetts to the general body of the nation. You have indeed received the federal unction of lying and slandering. But who has not? Who will ever again come into eminent office, unanointed with this chrism? It seems to be fixed that falsehood and calumny are to be their ordinary engines of opposition; engines which will not be entirely without effect. The circle of characters equal to the first stations is not too large, and will be lessened by the voluntary retreat of those whose sensibilities are stronger than their confidence in the justice of public opinion. I certainly have known, and still know, characters eminently qualified for the most exalted trusts, who could not bear up against the brutal hackings and hewings of these heroes of Billingsgate. I may say, from intimate knowledge, that we should have lost the services of the greatest character of our country, had he been assailed with the degree of abandoned licentiousness now practised. The torture he felt under rare and slight attacks, proved that under those of which the federal bands have shewn themselves capable, he would have thrown up the helm in a burst of indignation. Yet this effect of sensibility must not be yielded to. If we suffer ourselves to be frightened from our post by mere lying, surely the enemy will use that weapon; for what one so cheap to those of whose system of politics morality makes no part? The patriot, like the Christian, must learn that to bear revilings and persecutions is a part of his duty; and in proportion as the trial is severe, firmness under it becomes more requisite and praiseworthy. It requires, indeed, self-command. But that will be fortified in proportion as the calls for its exercise are repeated. In this I am persuaded we shall have the benefit of your good example. To the other falsehoods they have brought forward, should they add, as you expect, insinuations of want of confidence in you from the administration generally, or myself particularly, it will, like their other falsehoods, produce in the public mind a contrary inference.

* * * * * * *

I tender you my friendly and respectful salutations.

TH. JEFFERSON.

TO THOMAS PAINE.

Washington, June 5, 1805.

DEAR SIR,

Your letters, Nos. 1, 2, 3, the last of them dated April the 20th, were received April the 26th. I congratulate you on your retirement to your farm, and still more that it is of a character so worthy of your attention. I much doubt whether the open room on your second story will answer your expectations. There will be a few days in the year in which it will be delightful, but not many. Nothing but trees, or Venetian blinds, can protect it from the sun. The semi-cylindrical roof you propose will have advantages. You know it has been practised on the cloth market at Paris. De Lorme, the inventor, shews many forms of roofs in his book to which it is applicable. I have used it at home for a dome, being one hundred and twenty degrees of an oblong octagon, and in the capitol we unite two quadrants of a sphere by a semicylinder; all framed in De Lorme's manner. How has your planing machine answered? Has it been tried and persevered in by any workman?

France has become so jealous of our conduct as to St. Domingo (which, in truth, is only the conduct of our merchants), that the offer to become a mediator would only confirm her suspicions. Buonaparte, however, expressed satisfaction at the paragraph in my message to Congress on the subject of that commerce. With respect to the German redemptioners, you know I can do nothing unless authorised by law. It would be made a question in Congress, whether any of the enumerated objects to which the constitution authorises the money of the Union to be applied, would cover an expenditure for importing settlers to Orleans. The letter of the revolutionary serjeant was attended to by General Dearborne, who wrote to him informing him how to proceed to obtain his land.

Doctor Eustis's observation to you, that 'certain paragraphs in the National Intelligencer,' respecting my letter to you, 'supposed to be under Mr. Jefferson's direction, had embarrassed Mr. Jefferson's friends in Massachussetts, that they appeared like a half denial of the letter, or as if there was something in it not proper to be owned, or that needed an apology,' is one of those mysterious half confidences difficult to be understood. That tory printers should think it advantageous to identify me with that paper, the Aurora, &c., in order to obtain ground for abusing me, is perhaps fair warfare; but that any one who knows me personally should listen one moment to such an insinuation, is what I did not expect. I neither have, nor ever had, any more connection with those papers than our antipodes have; nor know what is to be in them until I see it in them, except proclamations, and other documents sent for publication. The friends in Massachusetts who could be embarrassed by so weak a weapon as this, must be feeble friends indeed. With respect to the letter, I never hesitated to avow and to justify it in conversation. In no other way do I trouble myself to contradict any thing which is said. At that time, however, there were certain anomalies in the motions of some of our friends, which events have at length reduced to regularity.

It seems very difficult to find out what turn things are to take in Europe. I suppose it depends on Austria, which, knowing it is to stand in the way of receiving the first hard blows, is cautious of entering into a coalition. As to France and England we can have but one wish, that they may disable one another from injuring others.

Accept my friendly salutations, and assurances of esteem and respect.

TH. JEFFERSON.

[The following, in the hand writing of the author, is inserted in his MS. of this period. Whether it was published, or where, is not stated.]

Richmond, 1780, December 31. At 8 A. M. the Governor receives the first intelligence that twenty-seven sail of ships had entered Chesapeake Bay, and were in the morning of the 29th just below Willoughby's Point (the southern cape of James River); their destination unknown.

1781, January 2. At 10 A. M. information received that they had entered James River, their advance being at Warrasqueak Bay. Orders were immediately given for calling in the militia, one fourth from some, and one half from other counties. The members of the legislature, which rises this day, are the bearers of the orders to their respective counties. The Governor directs the removal of the records into the country, and the transportation of the military stores from Richmond to Westham (on the river seven miles above); there to be carried across the river.

January 3. At 8 P. M. the enemy are said to be a little below Jamestown; convenient for landing, if Williamsburg is their object.

January 4. At 5 A. M. information is received that they had passed Kennon's and Hood's the evening before, with a strong easterly wind, which determines their object to be either Petersburg or Richmond. The Governor now calls in the whole militia from the adjacent counties.

At 5 P. M. information, that at 2 P.M. they were landed and drawn up at Westover (on the north side of the river, and twenty-five miles below Richmond); and consequently Richmond their destination. Orders are now given to discontinue waggoning the military stores from Richmond to Westham, and to throw them across the river directly at Richmond.

The Governor having attended to this till an hour and a half in the night, then rode up to the foundery (one mile below Westham), ordered Captains Boush and Irish, and Mr. Hylton to continue all night waggoning to Westham the arms and stores still at the foundery, to be thrown across the river at Westham, then proceeded to Westham to urge the pressing the transportation there across the river, and thence went to Tuckahoe (eight miles above and on the same side of the river) to see after his family, which he had sent that far in the course of the day. He arrived there at 1 o'clock in the night.

January 5. Early in the morning, he carried his family across the river there, and sending them to Fine Creek (eight miles higher up), went himself to Britton's on the south side of the river, (opposite to Westham.) Finding the arms, &c. in a heap near the shore, and exposed to be destroyed by cannon from the north bank, he had them removed under cover of a point of land near by. He proceeded to Manchester (opposite to Richmond). The enemy had arrived at Richmond at 1 P. M. Having found that nearly the whole arms had been got there from Richmond, he set out for Chetwood's to meet with Baron Steuben, who had appointed that place as a rendezvous and head-quarters; but not finding him there, and understanding he would be at Colonel Fleming's, (six miles above Britton's,) he proceeded thither. The enemy had now a detachment at Westham, and sent a deputation from the city of Richmond to the Governor, at Colonel Fleming's, to propose terms for ransoming the safety of the city, which terms he rejected.

January 6. The Governor returned to Britton's, had measures taken more effectually to secure the books and papers there. The enemy, having burnt some houses and stores, left Richmond after twenty-four hours' stay there, and encamped at Four Mile Creek (eight or ten miles below); and the Governor went to look to his family at Fine Creek.

January 7. He returned to Britton's to see further to the arms there, exposed on the ground to heavy rains which had fallen the night before, and thence proceeded to Manchester, and lodged there. The enemy encamped at Westover.

January 8. At half after 7, A. M. he crossed over to Richmond, and resumed his residence there. The enemy are still detained in their encampment at Westover by an easterly wind. Colonel John Nicholas has now three hundred militia at the Forest (six miles off from Westover); General Nelson, two hundred at Charles City Court House (eight miles below Westover); Gibson, one thousand, and Baron Steuben, eight hundred, on the south side of the river.

January 9. The enemy are still encamped at Westover.

January 10. At 1 P. M. they embark: and the wind having shifted a little to the north of west, and pretty fresh, they fall down the river. Baron Steuben marches for Hood's, where their passage may be checked. He reaches Bland's mills in the evening, within nine miles of Hood's.

January 11. At 8 A. M. the wind due west and strong, they make good their retreat.

During this period, time and place have been minutely cited, in order that those who think there was any remissness in the movements of the Governor, may lay their finger on the point, and say, when and where it was. Hereafter less detail will suffice.

Soon after this, General Phillips having joined Arnold with a reinforcement of two thousand men, they advanced again up to Petersburg, and about the last of April, to Manchester. The Governor had remained constantly in and about Richmond, exerting all his powers for collecting militia, and providing such means for the defence of the State as its exhausted resources admitted. Never assuming a guard, and with only the river between him and the enemy, his lodgings were frequently within four, five, or six miles of them.

M. de la Fayette about this time arrived at Richmond with some continental troops, with which, and the militia collected, he continued to occupy that place, and the north bank of the river, while Phillips and Arnold held Manchester and the south bank. But Lord Cornwallis, about the middle of May, joining them with the main southern army, M. de la Fayette was obliged to retire. The enemy crossed the river, and advanced up into the country about fifty miles, and within thirty miles of Charlottesville, at which place the legislature being to meet in June, the Governor proceeded to his seat at Monticello, two or three miles from it. His office was now near expiring, the country under invasion by a powerful army, no services but military of any avail; unprepared by his line of life and education for the command of armies, he believed it right not to stand in the way of talents better fitted than his own to the circumstances under which the country was placed. He therefore himself proposed to his friends in the legislature, that General Nelson, who commanded the militia of the State, should be appointed Governor, as he was sensible that the union of the civil and military power in the same hands, at this time, would greatly facilitate military measures. This appointment accordingly took place on the 12th of June, 1781.

This was the state of things, when, his office having actually expired, and no successor yet in place, Colonel Tarleton, with his regiment of horse, was detached by Lord Cornwallis to surprise Mr. Jefferson (whom they thought still in office) and the legislature now sitting in Charlottesville. The Speakers of the two Houses, and some other members of the legislature, were lodging with Mr. Jefferson at Monticello. Tarleton, early in the morning (June 23, I believe), when within ten miles of that place, detached a company of horse to secure him and his guests, and proceeded himself rapidly with his main body to Charlottesville, where he hoped to find the legislature unapprised of his movement. Notice of it, however, had been brought both to Monticello and Charlottesville, about sunrise. The Speakers, with their colleagues, returned to Charlottesville, and, with the other members of the legislature, had barely time to get out of his way. Mr. Jefferson sent off his family, to secure them from danger, and was himself still at Monticello making arrangements for his own departure, when Lieutenant Hudson arrived there at half speed, and informed him the enemy were then ascending the hill of Monticello. He departed immediately, and knowing that he would be pursued if he took the high road, he plunged into the woods of the adjoining mountain, where being at once safe, he proceeded to overtake his family. This is the famous adventure of Carter's mountain, which has been so often resounded through the slanderous chronicles of federalism. But they have taken care never to detail the facts, lest these should shew that this favourite charge amounted to nothing more, than that he did not remain in his house, and there singly fight a whole troop of horse, or suffer himself to be taken prisoner. Having accompanied his family one day's journey, he returned to Monticello. Tarleton had retired after eighteen hours' stay in Charlottesville. Mr. Jefferson then rejoined his family, and proceeded with them to an estate he had in Bedford, about eighty miles southwest, where, riding in his farm, some time after, he was thrown from his horse, and disabled from riding on horseback for a considerable time. But Mr. Turner finds it more convenient to give him this fall in his retreat before Tarleton, which had happened some weeks before, as a proof that he withdrew from a troop of horse with a precipitancy which Don Quixote would not have practised.

The facts here stated most particularly, with date of time and place, are taken from the notes made by the writer hereof, for his own satisfaction at the time: the others are from memory, but so well recollected that he is satisfied there is no material fact misstated. Should any person undertake to contradict any particular, on evidence which may at all merit the public respect, the writer will take the trouble (though not at all in the best situation for it) to produce the proofs in support of it. He finds, indeed, that of the persons whom he recollects to have been present on these occasions, few have survived the intermediate lapse of four and twenty years. Yet he trusts that some, as well as himself, are yet among the living; and he is positively certain that no man can falsify any material fact here stated. He well remembers, indeed, that there were then, as there are at all times, some who blamed every thing done contrary to their own opinion, although their opinions were formed on a very partial knowledge of facts. The censures which have been hazarded by such men as Mr. Turner, are nothing but revivals of these half-informed opinions. Mr. George Nicholas, then a very young man, but always a very honest one, was prompted by these persons to bring specific charges against Mr. Jefferson. The heads of these, in writing, were communicated through a mutual friend to Mr. Jefferson, who committed to writing also the heads of justification on each of them. I well remember this paper, and believe the original of it still exists; and though framed when every real fact was fresh in the knowledge of every one, this fabricated flight from Richmond was not among the charges stated in this paper, nor any charge against Mr. Jefferson for not fighting, singly, the troop of horse. Mr. Nicholas candidly relinquished further proceeding. The House of Representatives of Virginia pronounced an honourable sentence of entire approbation of Mr. Jefferson's conduct, and so much the more honourable, as themselves had been witnesses to it. And Mr. George Nicholas took a conspicuous occasion afterwards, of his own free will, and when the matter was entirely at rest, to retract publicly the erroneous opinions he had been led into on that occasion, and to make just reparation by a candid acknowledgment of them.

TO DOCTORS ROGERS AND SLAUGHTER.

Washington, March 2, 1806.

Gentlemen,

I have received the favour of your letter of February the 2nd, and read with thankfulness its obliging expressions respecting myself. I regret that the object of a letter from persons whom I so much esteem, and patronized by so many other respectable names, should be beyond the law which a mature consideration of circumstances has prescribed for my conduct. I deem it the duty of every man to devote a certain portion of his income for charitable purposes; and that it is his further duty to see it so applied as to do the most good of which it is capable. This I believe to be best insured, by keeping within the circle of his own inquiry and information, the subjects of distress to whose relief his contributions shall be applied. If this rule be reasonable in private life, it becomes so necessary in my situation, that to relinquish it would leave me without rule or compass. The applications of this kind from different parts of our own, and from foreign countries, are far beyond any resources within my command. The mission of Serampore, in the East Indies, the object of the present application, is but one of many items. However disposed the mind may feel to unlimited good, our means having limits, we are necessarily circumscribed by them. They are too narrow to relieve even the distresses under our own eye: and to desert these for others which we neither see nor know, is to omit doing a certain good for one which is uncertain. I know, indeed, there have been splendid associations for effecting benevolent purposes in remote regions of the earth. But no experience of their effect has proved that more good would not have been done by the same means employed nearer home. In explaining, however, my own motives of action, I must not be understood as impeaching those of others. Their views are those of an expanded liberality. Mine may be too much restrained by the law of usefulness. But it is a law to me, and, with minds like yours, will be felt as a justification. With this apology, I pray you to accept my salutations, and assurances of high esteem and respect.

TH. JEFFERSON.

TO MR. DUANE.

Washington March 22, 1806.

I thank you, my good Sir, cordially, for your letter of the 12th, which however I did not receive till the 20th. It is a proof of sincerity, which I value above all things; as, between those who practise it, falsehood and malice work their efforts in vain. There is an enemy some where endeavouring to sow discord among us. Instead of listening first, then doubting, and lastly, believing anile tales handed round without an atom of evidence, if my friends will address themselves to me directly, as you have done, they shall be informed with frankness and thankfulness. There is not a truth on earth which I fear or would disguise. But secret slanders cannot be disarmed, because they are secret. Although you desire no answer, I shall give you one to those articles admitting a short answer, reserving those which require more explanation than the compass of a letter admits, to conversation on your arrival here. And as I write this for your personal satisfaction, I rely that my letter will, under no circumstances, be communicated to any mortal, because you well know how every syllable from me is distorted by the ingenuity of political enemies.

In the first place, then, I have had less communication, directly or indirectly, with the republicans of the east, this session, than I ever had before. This has proceeded from accidental circumstances, not from design. And if there be any coolness between those of the south and myself, it has not been from me towards them. Certainly there has been no other reserve, than to avoid taking part in the divisions among our friends. That Mr. R. has openly attacked the administration is sufficiently known. We were not disposed to join in league with Britain, under any belief that she is fighting for the liberties of mankind, and to enter into war with Spain, and consequently France. The House of Representatives were in the same sentiment, when they rejected Mr. R.'s resolutions for raising a body of regular troops for the western service. We are for a peaceable accommodation with all those nations, if it can be effected honourably. This, perhaps, is not the only ground of his alienation; but which side retains its orthodoxy, the vote of eighty-seven to eleven republicans may satisfy you: but you will better satisfy yourself on coming here, where alone the true state of things can be known, and where you will see republicanism as solidly embodied on all essential points, as you ever saw it on any occasion.

That there is only one minister who is not opposed to me, is totally unfounded. There never was a more harmonious, a more cordial administration, nor ever a moment when it has been otherwise. And while differences of opinion have been always rare among us, I can affirm, that as to present matters, there was not a single paragraph in my message to Congress, or those supplementary to it, in which there was not a unanimity of concurrence in the members of the administration. The fact is, that in ordinary affairs every head of a department consults me on those of his department, and where any thing arises too difficult or important to be decided between us, the consultation becomes general.

That there is an ostensible cabinet and a concealed one, a public profession and concealed counteraction, is false.

That I have denounced republicans by the epithet of Jacobins, and declared I would appoint none but those called moderates of both parties, and that I have avowed or entertain any predilection for those called the third party, or Quids, is in every tittle of it false.

That the expedition of Miranda was countenanced by me, is an absolute falsehood, let it have gone from whom it might; and I am satisfied it is equally so as to Mr. Madison. To know as much of it as we could was our duty, but not to encourage it.

Our situation is difficult; and whatever we do is liable to the criticisms of those who wish to represent it awry. If we recommend measures in a public message, it may be said that members are not sent here to obey the mandates of the President, or to register the edicts of a sovereign. If we express opinions in conversation, we have then our Charles

Jenkinsons, and back-door counsellors. If we say nothing, 'we have no opinions, no plans, no cabinet.' In truth, it is the fable of the old man, his son, and ass, over again.

These are short facts, which may suffice to inspire you with caution, until you can come here and examine for yourself. No other information can give you a true insight into the state of things; but you will have no difficulty in understanding them when on the spot. In the mean time, accept my friendly salutations and cordial good wishes.

TH. JEFFERSON.

TO WILSON C. NICHOLAS.—*(Confidential.)*

Washington, March 24, 1806.

DEAR SIR,

A last effort at friendly settlement with Spain is proposed to be made at Paris, and under the auspices of France. For this purpose, General Armstrong and Mr. Bowdoin (both now at Paris) have been appointed joint commissioners: but such a cloud of dissatisfaction rests on General Armstrong in the minds of many persons, on account of a late occurrence stated in all the public papers, that we have in contemplation to add a third commissioner, in order to give the necessary measure of public confidence to the commission. Of these two gentlemen, one being of Massachusetts and one of New York, it is thought the third should be a southern man; and the rather, as the interests to be negotiated are almost entirely southern and western. This addition is not yet ultimately decided on; but I am inclined to believe it will be adopted. Under this expectation, and my wish that you may be willing to undertake it, I give you the earliest possible intimation of it, that you may be preparing both your mind and your measures for the mission. The departure would be required to be very prompt; though the absence, I think, will not be long, Buonaparte not being in the practice of procrastination. This particular consideration will, I hope, reconcile the voyage to your affairs and your feelings. The allowance to an extra mission, is salary from the day of leaving home, and expenses to the place of destination, or, in lieu of the latter, and to avoid settlements, a competent fixed sum may be given. For the return, a continuance of the salary for three months after fulfilment of the commission. Be so good as to make up your mind as quickly as possible, and to answer me as early as possible. Consider the measure as proposed provisionally only, and not to be communicated to any mortal until we see it proper.

Affectionate salutations.

TH. JEFFERSON.

TO WILSON C. NICHOLAS.

Washington, April 13, 1806.

DEAR SIR,

The situation of your affairs certainly furnishes good cause for your not acceding to my proposition of a special mission to Europe. My only hope had been, that they could have gone on one summer without you. An unjust hostility against General Armstrong will, I am afraid, shew itself whenever any treaty made by him shall be offered for ratification. I wished, therefore, to provide against this, by joining a person who would have united the confidence of the whole Senate. General Smith was so prominent in the opposition to Armstrong, that it would be impossible for them to act together. We conclude, therefore, to leave the matter with Armstrong and Bowdoin. Indeed, my dear Sir, I wish sincerely you were back in the Senate; and that you would take the necessary measures to get yourself there. Perhaps, as a preliminary, you should go to our legislature. Giles's absence has been a most serious misfortune. A majority of the Senate means well. But Tracy and Bayard are too dexterous for them, and have very much influenced their proceedings. Tracy has been of nearly every committee during the session, and for the most part the chairman, and of course drawer of the reports. Seven federalists voting always in phalanx, and joined by some discontented republicans, some oblique ones, some capricious, have so often made a majority, as to produce very serious embarrassment to the public operations; and very much do I dread the submitting to them, at the next session, any treaty which can be made with either England or Spain, when I consider that five joining the federalists can defeat a friendly settlement of our affairs. The House of Representatives is as well disposed as I ever saw one. The defection of so prominent a leader, threw them into dismay and confusion for a moment; but they soon rallied to their own principles, and let him go off with five or six followers only. One half of these are from Virginia. His late declaration of perpetual opposition to this administration, drew off a few others who at first had joined him, supposing his opposition occasional only, and not systematic. The alarm the House has had from this schism, has produced a rallying together and a harmony, which carelessness and security had begun to endanger. On the whole, this little trial of the firmness of our representatives in their principles, and that of the people also, which is declaring itself in support of their public functionaries, has added much to my confidence in the stability of our government; and to my conviction, that, should things go wrong at any time, the people will set them to rights by the peaceable exercise of their elective rights. To explain to you the character of this schism, its objects, and combinations, can only be done in conversation; and must be deferred till I see you at Monticello, where I shall probably be about the 10th or 12th of May, to pass the rest of the month there. Congress has agreed to rise on Monday, the 21st.

Accept my affectionate salutations.

TH. JEFFERSON.

TO MR. HARRIS.

Washington, April 18, 1806.

SIR,

It is now some time since I received from you, through the house of Smith and Buchanan, at Baltimore, a bust of the Emperor Alexander, for which I have to return you my thanks. These are the more cordial, because of the value the bust derives from the great estimation in which its original is held by the world, and by none more than by myself. It will constitute one of the most valued ornaments of the retreat I am preparing for myself at my native home. Accept, at the same time, my acknowledgments for the elegant work of Atkinson and Walker on the customs of the Russians. I had laid it down as a law for my conduct while in office, and hitherto scrupulously observed, to accept of no present beyond a book, a pamphlet, or other curiosity of minor value; as well to avoid imputations on my motives of action, as to shut out a practice susceptible of such abuse. But my particular esteem for the character of the Emperor, places his image in my mind above the scope of law. I receive it, therefore, and shall cherish it with affection. It nourishes the contemplation of all the good placed in his power, and of his disposition to do it.

A little before Dr. Priestley's death, he informed me that he had received intimations, through a channel he confided in, that the Emperor entertained a wish to know something of our constitution. I have, therefore, selected the two best works we have on that subject, for which I pray you to ask a place in his library. They are too much in detail to occupy his time; but they will furnish materials for an abstract, to be made by others, on such a scale as may bring the matter within the compass of the time which his higher callings can yield to such an object.

At a very early period of my life, contemplating the history of the aboriginal inhabitants of America, I was led to believe that if there had ever been a relation between them and the men of colour in Asia, traces of it would be found in their several languages. I have, therefore, availed myself of every opportunity which has offered, to obtain vocabularies of such tribes as have been within my reach, corresponding to a list then formed of about two hundred and fifty words. In this I have made such progress, that within a year or two more I think to give to the public what I then shall have acquired. I have lately seen a report of Mr. Volney's to the Celtic Academy, on a work of Mr. Pallas, entitled "*Vocabulaires comparés des Langues detoute la Terre*;" with a list of one hundred and thirty words, to which the vocabulary is limited. I find that seventy-three of these words are common to that and to my vocabulary, and therefore will enable us, by a comparison of language, to make the inquiry so long desired, as to the probability of a common origin between the people of colour of the two continents. I have to ask the favour of you to procure me a copy of the above work of Pallas, to inform me of the cost, and permit me to pay it here to your use; for I presume you have some mercantile correspondent here, to whom a payment can be made for you. A want of knowledge what the book may cost, as well as of the means of making so small a remittance, obliges me to make this proposition, and to restrain it to the sole condition that I be permitted to reimburse it here.

I inclose you a letter for the Emperor, which be pleased to deliver or have delivered: it has some relation to a subject which the Secretary of State will explain to you.

Accept my salutations, and assurances of esteem and consideration.

TH. JEFFERSON.

TO THE EMPEROR OF RUSSIA.

Washington, April 19, 1806.

re an acknowledgment to your Imperial Majesty, of the
atisfaction I have received from your letter of August
th, 1805, and sincere expressions of the respect and
tion I entertain for your character. It will be among
est and most soothing comforts of my life, to have
dvanced to the government of so extensive a portion of
rth, and at so early a period of his life, a sovereign
ruling passion is the advancement of the happiness and
rity of his people; and not of his own people only,
o can extend his eye and his good will to a distant
fant nation, unoffending in its course—unambitious in
ws.

events of Europe come to us so late, and so suspi-
, that observations on them would certainly be stale,
ssibly wide of their actual state. From their general
, however, I collect that your Majesty's interposition in
as been disinterested and generous, and having in view
e general good of the great European family. When
all proceed to the pacification which is to re-establish
and commerce, the same dispositions of mind will lead
think of the general intercourse of nations, and to
hat provision for its future maintenance, which, in times
has so much needed. The northern nations of Eu-
t the head of which your Majesty is distinguished, are
ally peaceable. The United States of America, like
are attached to peace. We have, then, with them, a
n interest in the neutral rights. Every nation, indeed,
continent of Europe, belligerent as well as neutral, is
ted in maintaining these rights, in liberalising them
ssively with the progress of science and refinement of
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of all the good placed in his power, and of his disposition to do it.

A little before Dr. Priestley's death, he informed me that he had received intimations, through a channel he confided in, that the Emperor entertained a wish to know something of our constitution. I have, therefore, selected the two best works we have on that subject, for which I pray you to ask a place in his library. They are too much in detail to occupy his time; but they will furnish materials for an abstract, to be made by others, on such a scale as may bring the matter within the compass of the time which his higher callings can yield to such an object.

At a very early period of my life, contemplating the history of the aboriginal inhabitants of America, I was led to believe that if there had ever been a relation between them and the men of colour in Asia, traces of it would be found in their several languages. I have, therefore, availed myself of every opportunity which has offered, to obtain vocabularies of such tribes as have been within my reach, corresponding to a list then formed of about two hundred and fifty words. In this I have made such progress, that within a year or two more I think to give to the public what I then shall have acquired. I have lately seen a report of Mr. Volney's to the Celtic Academy, on a work of Mr. Pallas, entitled "*Vocabulaires compares des Langues detoute la Terre*;" with a list of one hundred and thirty words, to which the vocabulary is limited. I find that seventy-three of these words are common to that and to my vocabulary, and therefore will enable us, by a comparison of language, to make the inquiry so long desired, as to the probability of a common origin between the people of colour of the two continents. I have to ask the favour of you to procure me a copy of the above work of Pallas, to inform me of the cost, and permit me to pay it here to your use; for I presume you have some mercantile correspondent here, to whom a payment can be made for you. A want of knowledge what the book may cost, as well as of the means of making so small a remittance, obliges me to make this proposition, and to restrain it to the sole condition that I be permitted to reimburse it here.

I inclose you a letter for the Emperor, which be pleased to deliver or have delivered: it has some relation to a subject which the Secretary of State will explain to you.

Accept my salutations, and assurances of esteem and consideration.

TH. JEFFERSON.

TO THE EMPEROR OF RUSSIA.

Washington, April 19, 1806.

I owe an acknowledgment to your Imperial Majesty, of the great satisfaction I have received from your letter of August the 20th, 1805, and sincere expressions of the respect and veneration I entertain for your character. It will be among the latest and most soothing comforts of my life, to have seen advanced to the government of so extensive a portion of the earth, and at so early a period of his life, a sovereign whose ruling passion is the advancement of the happiness and prosperity of his people; and not of his own people only, but who can extend his eye and his good will to a distant and infant nation, unoffending in its course—unambitious in its views.

The events of Europe come to us so late, and so suspiciously, that observations on them would certainly be stale, and possibly wide of their actual state. From their general aspect, however, I collect that your Majesty's interposition in them has been disinterested and generous, and having in view only the general good of the great European family. When you shall proceed to the pacification which is to re-establish peace and commerce, the same dispositions of mind will lead you to think of the general intercourse of nations, and to make that provision for its future maintenance, which, in times past, it has so much needed. The northern nations of Europe, at the head of which your Majesty is distinguished, are habitually peaceable. The United States of America, like them, are attached to peace. We have, then, with them, a common interest in the neutral rights. Every nation, indeed, on the continent of Europe, belligerent as well as neutral, is interested in maintaining these rights, in liberalising them progressively with the progress of science and refinement of morality, and in relieving them from restrictions which the extension of the arts has long since rendered unreasonable and vexatious.

Two personages in Europe, of which your Majesty is one, have it in their power, at the approaching pacification, to render eminent service to nations in general, by incorporating into the act of pacification a correct definition of the rights of neutrals on the high seas. Such a definition, declared by all the powers lately or still belligerent, would give to those rights a precision and notoriety, and cover them with an authority, which would protect them in an important degree against future violation; and should any further sanction be necessary, that of an exclusion of the violating nation from commercial intercourse with all the others, would be preferred to war, as more analogous to the offence, more easy and likely to be executed with good faith. The essential articles of these rights, too, are so few and simple as easily to be defined.

Having taken no part in the past or existing troubles of Europe, we have no part to act in its pacification. But as principles may then be settled in which we have a deep interest, it is a great happiness for us that they are placed under the protection of an umpire, who, looking beyond the narrow bounds of an individual nation, will take under the cover of his equity the rights of the absent and unrepresented. It is only by a happy concurrence of good characters and good occasions, that a step can now and then be taken to advance the well-being of nations. If the present occasion be good, I am sure your Majesty's character will not be wanting to avail the world of it. By monuments of such good offices may your life become an epoch in the history of the condition of man, and may He who called it into being, for the good of the human family, give it length of days and success, and have it always in his holy keeping.

TH. JEFFERSON.

TO COLONEL MONROE.

Washington, May 4, 1806.

DEAR SIR,

I wrote you on the 16th of March by a common vessel, and then expected to have had, on the rising of Congress, an opportunity of peculiar confidence to you. Mr. Beckley then supposed he should take a flying trip to London, on private business. But I believe he does not find it convenient. He could have let you into the *arcana rerum*, which you have interests in knowing. Mr. Pinckney's pursuits having been confined to his peculiar line, he has only that general knowledge of what has passed here, which the public possess. He has a just view of things so far as known to him. Our old friend, Mercer, broke off from us some time ago, at first professing to disdain joining the federalists, yet from the habit of voting together, becoming soon identified with them. Without carrying over with him one single person, he is now in a state of as perfect obscurity as if his name had never been known. Mr. J. Randolph is in the same track, and will end in the same way. His course has excited considerable alarm. Timid men consider it as a proof of the weakness of our government, and that it is to be rent into pieces by demagogues, and to end in anarchy. I survey the scene with a different eye, and draw a different augury from it. In a House of Representatives of a great mass of good sense, Mr. Randolph's popular eloquence gave him such advantages, as to place him unrivalled as the leader of the House; and, although not conciliatory to those whom he led, principles of duty and patriotism induced many of them to swallow humiliations he subjected them to, and to vote as was right, as long as he kept the path of right himself. The sudden defection of such a man could not but produce a momentary astonishment, and even dismay; but for a moment only. The good sense of the House rallied around its principles, and without any leader pursued steadily the business of the session, did it well, and by a strength of vote which has never before been seen. Upon all trying questions, exclusive of the federalists, the minority of republicans voting with him, has been from four to six or eight, against from ninety to one hundred; and although he yet treats the federalists with ineffable contempt, yet having declared eternal opposition to this administration, and consequently associated with them in his votes, he will, like Mercer, end with him. The augury I draw from this is, that there is a steady good sense in the legislature, and in the body of the nation, joined with good intentions, which will lead them to discern and to pursue the public good under all circumstances which can arise, and that no *ignis fatuus* will be able to lead them long astray. In the present case, the public sentiment, as far as declarations of it have yet come in, is, without a single exception, in firm adherence to the administration. One popular paper is endeavouring to maintain equivocal ground; approving the administration in all its proceedings, and Mr. Randolph in all those which have heretofore merited approbation, carefully avoiding to mention his late abberration. The ultimate view of this paper is friendly to you, and the editor, with more judgment than him who assumes to be at the head of your friends, sees that the ground of opposition to the administration is not that on which it would be advantageous to you to be planted. The great body of your friends are among the firmest adherents to the administration, and in their support of you will suffer Mr. Randolph to have no communications with them. My former letter told you the line which both duty and inclination would lead me sacredly to pursue. But it is unfortunate for you to be embarrassed with such a *soi-disant* friend. You must not commit yourself to him. These views may assist you to understand such details as Mr. Pinckney will give you. If you are here at any time before the fall, it will be in time for any object you may have, and by that time the public sentiment will be more decisively declared. I wish you were here at present, to take your choice of the two governments of Orleans and Louisiana, in either of which I could now place you; and I verily believe it would be to your advantage to be just that much withdrawn from the focus of the ensuing contest, until its event should be known. The one has a salary of five thousand dollars, the other of two thousand dollars; both with excellent hotels for the Governor. The latter at St Louis, where there is good society, both French and American, a healthy climate, and the finest field in the United States for acquiring property. The former not unhealthy, if you begin a residence there in the month of November. The Mrs. Trists and their connections are established there. As I think you can within four months inform me what you say to this, I will keep things in their present state till the last day of August, for your answer.

The late change in the ministry I consider as insuring us a just settlement of our differences, and we ask no more. In Mr. Fox, personally, I have more confidence than in any man in England, and it is founded in what, through unquestionable channels, I have had opportunities of knowing of his honesty and his good sense. While he shall be in the administration, my reliance on that government will be solid. We had committed ourselves in a line of proceedings adapted to meet Mr. Pitt's policy and hostility, before we heard of his death, which self-respect did not permit us to abandon afterwards; and the late unparalleled outrage on us at New York, excited such sentiments in the public at large, as did not permit us to do less than has been done. It ought not to be viewed by the ministry as looking towards them at all, but merely as the consequences of the measures of their predecessors, which their nation has called on them to correct. I hope, therefore, they will come to just arrangements. No two countries upon earth have so many points of common interest and friendship; and their rulers must be great bunglers, indeed, if, with such dispositions, they break them asunder. The only rivalry that can arise, is on the ocean. England may, by petty thwartings, check us on that element a little, but nothing she can do will retard us there one year's growth. We shall be supported there by other nations, and thrown into their scale to make a part of the great counterpoise to her navy. If, on the other hand, she is just to us, conciliatory, and encourages the sentiment of family feelings and conduct, it cannot fail to befriend the security of both. We have the seamen and materials for fifty ships of the line, and half that number of frigates; and were France to give us the money, and England the dispositions to equip them, they would give to England serious proofs of the stock from which they are sprung, and the school in which they have been taught, and, added to the efforts of the immensity of sea coast lately united under one power, would leave the state of the ocean no longer problematical. Were, on the other hand, England to give the money, and France the dispositions to place us on the sea in all our force, the whole world, out of the continent of Europe, might be our joint monopoly. We wish for neither of these scenes. We ask for peace and justice from all nations, and we will remain uprightly neutral in fact, though leaning in belief to the opinion that an English ascendancy on the ocean is safer for us than that of France. We begin to broach the idea that we consider the whole Gulf Stream as of our waters, in which hostilities and cruising are to be frowned on for the present, and prohibited so soon as either consent or force will permit us. We shall never permit another privateer to cruise within it, and shall forbid our harbours to national cruisers. This is essential for our tranquillity and commerce. Be so good as to have the inclosed letters delivered, to present me to your family, and be assured yourself of my unalterable friendship.

For fear of accidents, I shall not make the unnecessary addition of my name.

TO GENERAL SMITH.

Washington, May 4, 1806.

DEAR SIR,

I received your favour covering some papers from General Wilkinson. I have repented but of one appointment there, that of Lucas, whose temper I see overrules every good quality and every qualification he has. Not a single fact has appeared, which occasions me to doubt that I could have made a fitter appointment than General Wilkinson. One qualm of principle I acknowledge I do feel: I mean the union of the civil and military authority. You remember that when I came into office, while we were lodging together at Conrad's, he was pressed on me to be made Governor of the Mississippi territory; and that I refused it on that very principle. When therefore, the House of Representatives took that ground, I was not insensible to its having some weight. But in the appointment to Louisiana, I did not think myself departing from my own principle, because I consider it not as a civil government, but merely a military station. The legislature had sanctioned that idea by the establishment of the office of Commandant, in which were completely blended the civil and military powers. It seemed, therefore, that the Governor should be in suit with them. I observed too, that the House of Representatives, on the very day they passed the stricture on this union of authorities, passed a bill making the Governor of Michigan, commander of the regular troops which should at any time be within his government. However, on the subject of General Wilkinson nothing is in contemplation at this time. We shall see what turn things take at home and abroad in the course of the summer. Monroe has had a second conversation with Mr. Fox, which gives me hopes that we shall have an amicable arrangement with that government.

Accept my friendly salutations, and assurances of great esteem and respect.

TH. JEFFERSON.

THOMAS JEFFERSON TO MR. DIGGES.

Thomas Jefferson salutes Mr. Digges with friendship and respect, and sends him the newspapers received last night. He is sorry that only the latter part of the particular publication which Mr. Digges wished to see, is in them. He will be happy to see Mr. Digges and his friends on the fourth of July, and to join in congratulations on the return of the day which divorced us from the follies and crimes of Europe. from a dollar in the pound at least of six hundred millions sterling, and from all the ruin of Mr. Pitt's administration. We too, shall encounter follies; but if great, they will be short, if long, they will be light: and the vigour of our country will get the better of them. Mr. Pitt's follies have been great, long, and inflicted on a body emaciated with age, and exhausted by excesses beyond its power to bear.

July 1, 1806.

TO MR. BIDWELL.

Washington, July 5, 1806.

SIR,

Your favour of June the 21st has been duly received. We have not as yet heard from General Skinner on the subject of his office. Three persons are proposed, on the most respectable recommendations, and under circumstances of such equality as renders it difficult to decide between them. But it shall be done impartially. I sincerely congratulate you on the triumph of republicanism in Massachusetts. The Hydra of federalism has now lost all its heads but two. Connecticut, I think, will soon follow Massachusetts. Delaware will probably remain what it ever has been, a mere county of England, conquered indeed, and held under by force, but always disposed to counter-revolution. I speak of its majority only.

Our information from London continues to give us hopes of an accommodation there on both the points of 'accustomed commerce and impressment.' In this there must probably be some mutual concession, because we cannot expect to obtain every thing and yield nothing. But I hope it will be such an one as may be accepted. The arrival of the Hornet in France is so recently known, that it will yet be some time before we learn our prospects there. Notwithstanding the efforts made here, and made professedly to assassinate that negotiation in embryo, if the good sense of Buonaparte should prevail over his temper, the present state of things in Europe may induce him to require of Spain that she should do us justice at least. That he should require her to sell us East Florida, we have no right to insist: yet there are not wanting considerations which may induce him to wish a permanent foundation for peace laid between us. In this treaty, whatever it shall be, our old enemies, the federalists, and their new friends, will find enough to carp at. This is a thing of course, and I should suspect error where they found no fault. The buzzard feeds on carrion only. Their rallying point is 'war with France and Spain, and alliance with Great Britain:' and every thing is wrong with them which checks their new ardour to be fighting for the liberties of mankind; on the sea always excepted. There one nation is to monopolize all the liberties of the others.

I read, with extreme regret, the expressions of an inclination on your part to retire from Congress. I will not say that this time, more than all others, calls for the service of every man; but I will say, there never was a time when the services of those who possess talents, integrity, firmness, and sound judgment, were more wanted in Congress. Some one of that description is particularly wanted to take the lead in the House of Representatives, to consider the business of the nation as his own business, to take it up as if he were singly charged with it, and carry it through. I do not mean that any gentleman, relinquishing his own judgment, should implicitly support all the measures of the administration; but that, where he does not disapprove of them, he should not suffer them to go off in sleep, but bring them to the attention of the House, and give them a fair chance. Where he disapproves, he will of course leave them to be brought forward by those who concur in the sentiment. Shall I explain my idea by an example? The classification of the militia was communicated to General Varnum and yourself merely as a proposition, which, if you approved, it was trusted you would support. I knew, indeed, that General Varnum was opposed to any thing which might break up the present organization of the militia: but when so modified as to avoid this, I thought he might, perhaps, be reconciled to it. As soon as I found it did not coincide with your sentiments, I could not wish you to support it; but using the same freedom of opinion, I procured it to be brought forward elsewhere. It failed there also, and for a time, perhaps, may not prevail: but a militia can never be used for distant service on any other plan; and Buonaparte will conquer the world, if they do not learn his secret of composing armies of young men only, whose enthusiasm and health enable them to surmount all obstacles. When a gentleman, through zeal for the public service, undertakes to do the public business, we know that we shall hear the cant of backstairs counsellors. But we never heard this while the declaimer was himself a backstairs man, as he calls it, but in the confidence and views of the administration, as may more properly and respectfully be said. But if the members are to know nothing but what is important enough to be put into a public message, and indifferent enough to be made known to all the world; if the executive is to keep all other information to himself, and the House to plunge on in the dark, it becomes a government of chance, and not of design. The imputation was one of those artifices used to despoil an adversary of his most effectual arms; and men of mind will place themselves above a gabble of this order. The last session of Congress was indeed an uneasy one for a time: but as soon as the members penetrated into the views of those who were taking a new course, they rallied in as solid a phalanx as I have ever seen act together. Indeed I have never seen a House of better dispositions. * * * * * Perhaps I am not entitled to speak with so much frankness; but it proceeds from no motive which has not a right to your forgiveness. Opportunities of candid explanation are so seldom afforded me, that I must not lose them when they occur.

The information I receive from your quarter agrees with that from the south; that the late schism has made not the smallest impression on the public, and that the seceders are obliged to give to it other grounds than those which we know to be the true ones. All we have to wish is, that at the ensuing session, every one may take the part openly which he secretly befriends. I recollect nothing new and true, worthy communicating to you. As for what is not true, you will always find abundance in the newspapers. Among other things, are those perpetual alarms as to the Indians, for no one of which has there ever been the slightest ground. They are the suggestions of hostile traders, always wishing to embroil us with the Indians, to perpetuate their own extortionate commerce.

I salute you with esteem and respect,

Th. Jefferson.

TO MR. BOWDOIN.

Washington, July 10, 1806.

Dear Sir,

I believe that when you left America the invention of the polygraph had not yet reached Boston. It is for copying with one pen while you write with the other, and without the least additional embarrassment or exertion to the writer. I think it the finest invention of the present age, and so much superior to the copying machine, that the latter will never be continued a day by any one who tries the polygraph. It was invented by a Mr. Hawkins, of Frankford, near Philadelphia, who is now in England, turning it to good account. Knowing that you are in the habit of writing much, I have flattered myself, that I could add acceptably to your daily convenience, by presenting you with one of these delightful machines. I have accordingly had one made, and to be certain of its perfection, I have used it myself some weeks, and have the satisfaction to find it the best one I have ever tried; and in the course of two years' daily use of them, I have had opportunities of trying several. As a secretary, which copies for us what we write without the power of revealing it, I find it a most precious possession to a man in public business. I inclose directions for unpacking and using the machine when you receive it; but the machine itself must await a special and sure conveyance under the care of some person going to Paris. It is ready packed, and shall go by the first proper conveyance.

As we heard, two or three weeks ago, of the safe arrival of the Hornet at L'Orient, we are anxiously waiting to learn from you the first impressions on her mission. If you can succeed in procuring us Florida, and a good western boundary, it will fill the American mind with joy. It will secure to our fellow citizens one of their most ardent wishes, a long peace with Spain and France. For, be assured, the object of war with them, and alliance with England, which, at the last session of Congress, drew off from the republican band about half a dozen of its members, is universally reprobated by our *native* citizens from north to south. I have never seen the nation stand more firm to its principles, or rally so firmly to its constituted authorities, and in reprobation of the opposition to them. With England, I think we shall cut off the resource of impressing our seamen to fight her battles, and establish the inviolability of our flag in its commerce with her enemies. We shall thus become what we sincerely wish to be, honestly neutral, and truly useful to both belligerents. To the one, by keeping open a market for the consumption of her manufactures, while they are excluded from all the countries under the power of her enemy; to the other, by securing for her a safe carriage of all her productions, metropolitan or colonial, while her own means are restrained by her enemy, and may, therefore, be employed in other useful pursuits. We are certainly more useful friends to France and Spain as neutrals, than as allies. I hope they will be sensible of it, and, by a wise removal of all grounds of future misunderstanding to another age, enable you to present us such an arrangement, as will insure to our fellow citizens long and permanent peace and friendship with them. With respect to our western boundary, your instructions will be your guide. I will only add, as a comment, to them, that we are attached to the retaining the Bay of St. Bernard, because it was the first establishment of the unfortunate La Sale, was the cradle of Louisiana, and more incontestibly covered and conveyed to us by France, under that name, than any other spot in the country. This will be secured to us by taking for our western boundary the Guadaloupe, and from its head around the sources of all waters eastward of it, to the highlands, embracing the waters running into the Mississippi. However, all these things, I presume, will be settled before you receive this; and I hope so settled as to give peace and satisfaction to us all.

Our crops of wheat are greater than have ever been known, and are now nearly secured. A caterpillar gave for a while great alarm, but did little injury. Of tobacco, not half a crop has been planted, for want of rain; and even this half, with cotton and Indian corn, has yet many chances to run.

This summer will place our harbours in a situatiou to maintain peace and order within them. The next, or certainly the one following that, will so provide them with gunboats and common batteries, as to be *hors d'insulte.* Although our prospect is peace, our policy and purpose is to provide for defence by all those means to which our resources are competent.

I salute you with friendship, and assure you of my high respect and consideration.

Th. Jefferson.

TO W. A. BURWELL.

Monticello, September 17, 1806.

Dear Sir,

Yours of August the 7th, from Liberty, never got to my hands till the 9th instant. About the same time, I received the Enquirer, in which Decius was so judiciously answered. The writer of that paper observed, that the matter of Decius consisted, first of facts; secondly, of inferences from these facts: that he was not well enough informed to affirm or deny his facts, and he therefore examines his inferences, and in a very masterly manner shews that even were his facts true, the reasonable inferences from them are very different from those drawn by Decius. But his facts are far from truth, and should be corrected. It happened that Mr. Madison and General Dearborne were here when I received your letter. I therefore, with them, took up Decius, and read him deliberately; and our memories aided one another in correcting his bold and unauthorised assertions. I shall note the most material of them in the order of the paper.

1. It is grossly false that our ministers, as is said in a note, had proposed to surrender our claims to compensation for

Spanish spoliations, or even for French. Their instructions were to make no treaty in which Spanish spoliations were not provided for; and although they were permitted to be silent as to French spoliations carried into Spanish ports, they were not expressly to abandon even them. 2. It is not true that our ministers, in agreeing to establish the Colorado as our western boundary, had been obliged to exceed the authority of their instructions. Although we considered our title good as far as the Rio Bravo, yet in proportion to what they could obtain east of the Mississippi, they were to relinquish to the westward, and successive sacrifices were marked out, of which even the Colorado was not the last. 3. It is not true that the Louisiana treaty was antedated, lest Great Britain should consider our supplying her enemies with money as a breach of neutrality. After the very words of the treaty were finally agreed to, it took some time, perhaps some days, to make out all the copies in the very splendid manner of Buonaparte's treaties. Whether the 30th of April, 1803, the date expressed, was the day of the actual compact, or that on which it was signed, our memories do not enable us to say. If the former, then it is strictly conformable to the day of the compact; if the latter, then it was postdated, instead of being antedated. The motive assigned too, is as incorrect as the fact. It was so far from being thought, by any party, a breach of neutrality, that the British minister congratulated Mr. King on the acquisition, and declared that the King had learned it with great pleasure: and when Baring, the British banker, asked leave of the minister to purchase the debt and furnish the money to France, the minister declared to him, that so far from throwing obstacles in the way, if there were any difficulty in the payment of the money, it was the interest of Great Britain to aid it. 4. He speaks of a double set of opinions and principles; the one ostensible, to go on the journals and before the public, the other efficient, and the real motives to action. But where are these double opinions and principles? The executive informed the legislature of the wrongs of Spain, and that preparation should be made to repel them, by force, if necessary. But as it might still be possible to negotiate a settlement, they asked such means as might enable them to meet the negotiation, whatever form it might take. The first part of this system was communicated publicly, the second, privately; but both were equally official, equally involved the responsibility of the executive, and were equally to go on the journals. 5. That the purchase of the Floridas was in direct opposition to the views of the executive, as expressed in the President's *official* communication. It was not in opposition even to the public part of the communication, which did not recommend war, but only to be prepared for it. It perfectly harmonized with the private part, which asked the means of negotiation in such terms as covered the purchase of Florida as evidently as it was proper to speak it out. He speaks of secret communications between the executive and members, of backstairs influence, &c. But he never spoke of this while he and Mr. Nicholson enjoyed it almost solely. But when he differed from the executive in a leading measure, and the executive, not submitting to him, expressed their sentiments to others, the very sentiments (to wit, for the purchase of Florida) which he acknowledges they expressed to him, then he roars out upon backstairs influence. 6. The committee, he says, forbore to recommend offensive measures. Is this true? Did not they recommend the raising —— regiments? Besides, if it was proper for the committee to forbear recommending offensive measures, was it not proper for the executive and legislature to exercise the same forbearance? 7. He says Monroe's letter had a most important bearing on our Spanish relations. Monroe's letter related, almost entirely, to our British relations. Of those with Spain, he knew nothing particular since he left that country. Accordingly, in his letter he simply expressed an opinion on our affairs with Spain, of which he knew we had better information than he could possess. His opinion was no more than that of any other sensible man; and his letter was proper to be communicated with the English papers, and with them only. That the executive did not hold it up on account of any bearing on Spanish affairs, is evident from the fact that it was communicated when the Senate had not yet entered on the Spanish affairs, and had not yet received the papers relating to them from the other House. The moment the Representatives were ready to enter on the British affairs, Monroe's letter, which peculiarly related to them, and was *official* solely as to them, was communicated to both Houses, the Senate being then about entering on the Spanish affairs.

* * * * * *

These, my dear Sir, are the principal facts worth correction. Make any use of them you think best, without letting your source of information be known. Can you send me some cones or seeds of the cucumber tree?

Accept affectionate salutations, and assurances of great esteem and respect.

TH. JEFFERSON.

TO ALBERT GALLATIN.

Washington, October 12, 1806.

DEAR SIR,

You witnessed, in the earlier part of the administration, the malignant and long continued efforts which the federalists exerted in their newspapers, to produce misunderstanding between Mr. Madison and myself. These failed completely. A like attempt was afterwards made, through other channels, to effect a similar purpose between General Dearborne and myself, but with no more success. The machinations of the last session, to put you at cross questions with us all, were so obvious as to be seen at the first glance of every eye. In order to destroy one member of the administration, the whole were to be set to loggerheads to destroy one another. I observe in the papers lately, new attempts to revive this stale artifice, and that they squint more directly towards you and myself. I cannot, therefore, be satisfied, till I declare to you explicitly, that my affections and confidence in you are nothing impaired, and that they cannot be impaired by means so unworthy the notice of candid and honourable minds. I make the declaration, that no doubts or jealousies, which often beget the facts they fear, may find a moment's harbour in either of our minds. I have so much reliance on the superior good sense and candour of all those associated with me, as to be satisfied they will not suffer either friend or foe to sow tares among us. Our administration now drawing towards a close, I have a sublime pleasure in believing it will be distinguished as much by having placed itself above all the passions which could disturb its harmony, as by the great operations by which it will have advanced the well-being of the nation.

Accept my affectionate salutations, and assurances of my constant and unalterable respect and attachment.

TH. JEFFERSON.

TO JOHN DICKINSON.

Washington, January 13, 1807.

MY DEAR AND ANTIENT FRIEND,

I have duly received your favour of the 1st instant, and am ever thankful for communications which may guide me in the duties which I wish to perform as well as I am able. It is but too true, that great discontents exist in the territory of Orleans. Those of the French inhabitants have for their sources, 1. the prohibition of importing slaves. This may be partly removed by Congress permitting them to receive slaves from the other States, which, by dividing that evil, would lessen its danger. 2. The administration of justice in our forms, principles, and language, with all of which they are unacquainted, and are the more abhorrent, because of the enormous expense, greatly exaggerated by the corruption of bankrupt and greedy lawyers, who have gone there from the United States and engrossed the practice. 3. The call on them by the land commissioners to produce the titles of their lands. The object of this is really to record and secure their rights. But as many of them hold on rights so antient that the title papers are lost, they expect the land is to be taken from them wherever they cannot produce a regular deduction of title in writing. In this they will be undeceived by the final result, which will evince to them a liberal disposition of the government towards them. Among the American inhabitants it is the old division of federalists and republicans. The former are as hostile there as they are every where, and are the most numerous and wealthy. They have been long endeavouring to batter down the Governor, who has always been a firm republican. There were characters superior to him, whom I wished to appoint, but they refused the office: I know no better man who would accept of it, and it would not be right to turn him out for one not better. But it is the second cause, above mentioned, which is deep seated and permanent. The French members of the legislature, being the majority of the members in both Houses, lately passed an act declaring that the civil, or French laws should be the laws of their land, and enumerated about fifty folio volumes in Latin, as the depositories of these laws. The Governor negatived the act. One of the Houses thereupon passed a vote for self-dissolution of the legislature as a useless body, which failed in the other House by a single vote only. They separated, however, and have disseminated all the discontent they could. I propose to the members of Congress, in conversation, the enlisting thirty thousand volunteers, Americans by birth, to be carried at the public expense, and settled immediately on a bounty of one hundred and sixty acres of land each, on the west side of the Mississippi, on the condition of giving two years of military service, if that country should be attacked within seven years. The defence of the country would thus be placed on the spot, and the additional number would entitle the territory to become a State, would make the majority American, and make it an American instead of a French State. This would not sweeten the pill to the French; but in making that acquisition we had some view to our own good as well as theirs, and I believe the greatest good of both will be promoted by whatever will amalgamate us together.

I have tired you, my friend, with a long letter. But your tedium will end in a few lines more. Mine has yet two years to endure. I am tired of an office where I can do no more good than many others, who would be glad to be employed in it. To myself, personally, it brings nothing but unceasing drudgery, and daily loss of friends. Every office becoming vacant, every appointment made, *me donne un ingrat, et cent ennemis*. My only consolation is in the belief that my fellow citizens at large give me credit for good intentions. I will certainly endeavour to merit the continuance of that good will which follows well intended actions, and their approbation will be the dearest reward I can carry into retirement.

God bless you, my excellent friend, and give you yet many healthy and happy years.

TH. JEFFERSON.

TO WILSON C. NICHOLAS.

Washington, February 28, 1807.

DEAR SIR,

Your letter of January the 20th was received in due time. But such has been the constant pressure of business, that it has been out of my power to answer it. Indeed, the subjects of it would be almost beyond the extent of a letter, and as I hope to see you ere long at Monticello, it can then be more effectually done verbally. Let me observe, however, generally, that it is impossible for my friends ever to render me so acceptable a favour, as by communicating to me, without reserve, facts and opinions. I have none of that sort of self-love which winces at it; indeed, both self-love and the desire to do what is best, strongly invite unreserved communication. There is one subject which will not admit a delay till I see you. Mr. T. M. Randolph is, I believe, determined to retire from Congress, and it is strongly his wish, and that of all here, that you should take his place. Never did the calls of patriotism more loudly assail you than at this moment. After excepting the federalists, who will be twenty-seven, and the little band of schismatics, who will be three or four (all tongue), the residue of the House of Representatives is as well disposed a body of men as I ever saw collected. But there is no one whose talents and standing, taken together, have weight enough to give him the lead. The consequence is, that there is no one who will undertake to do the public business, and it remains undone. Were you here, the whole would rally round you in an instant, and willingly co-operate in whatever is for the public good. Nor would it require you to undertake drudgery in the House. There are enough, able and willing to do that. A rallying point is all that is wanting. Let me beseech you then to offer yourself. You never will have it so much in your power again to render such eminent service.

Accept my affectionate salutations and high esteem.

TH. JEFFERSON.

TO JAMES MONROE.

Washington, March 21, 1807.

DEAR SIR,

A copy of the treaty with Great Britain came to Mr. Erskine's hands on the last day of the session of Congress, which he immediately communicated to us; and, since that, Mr. Purviance has arrived with an original. On the subject of it you will receive a letter from the Secretary of State, of about this date, and one more in detail hereafter. I should not have written, but that I perceive uncommon efforts, and with uncommon wickedness, are making by the federal papers to produce mischief between myself, personally, and our negotiators; and also to irritate the British government, by putting a thousand speeches into my mouth, not one word of which I ever uttered. I have, therefore, thought it safe to guard you, by stating the view which we have given out on the subject of the treaty, in conversation and otherwise; for ours, as you know, is a government which will not tolerate the being kept entirely in the dark, and especially on a subject so interesting as this treaty. We immediately stated, in conversation, to the members of the legislature and others, that having, by a letter received in January, perceived that our ministers might sign a treaty not providing satisfactorily against the impressment of our seamen, we had, on the 3d of February, informed you, that should such an one have been forwarded, it could not be ratified, and recommending, therefore, that you should resume negotiations for inserting an article to that effect: that we should hold the treaty in suspense until we could learn from you the result of our instructions, which probably would not be till summer, and then decide on the question of calling the Senate. We observed, too, that a written declaration of the British commissioners, given in at the time of signature, would of itself, unless withdrawn, prevent the acceptance of any treaty, because its effect was to leave us bound by the treaty, and themselves totally unbound. This is the statement we have given out, and nothing more of the contents of the treaty has been made known. But depend on it, my dear Sir, that it will be considered as a hard treaty when it is known. The British commissioners appear to have screwed every article as far as it would bear; to have taken every thing, and yielded nothing. Take out the eleventh article, and the evil of all the others so much overweighs the good, that we should be glad to expunge the whole. And even the eleventh article admits only that we may enjoy our right to the indirect colonial trade, *during the present hostilities*. If peace is made this year, and war resumed the next, the benefit of this stipulation is gone, and yet we are bound for ten years to pass no non-importation or non-intercourse laws, nor take any other measures to restrain the unjust pretensions and practices of the British. But on this you will hear from the Secretary of State. If the treaty cannot be put into an acceptable form, then the next best thing is to back out of the negotiation as well as we can, letting that die away insensibly; but, in the mean time, agreeing, informally, that both parties shall act on the principles of the treaty, so as to preserve that friendly understanding which we so sincerely desire, until the one or the other may be disposed to yield the points which divide us. This will leave you to follow your desire of coming home as soon as you see that the amendment of the treaty is desperate. The power of continuing the negotiations will pass over to Mr. Pinckney, who, by procrastinations, can let it die away, and give us time, the most precious of all things to us. The government of New Orleans is still without such a head as I wish. The salary of five thousand dollars is too small: but I am assured the Orleans legislature would make it adequate, would you accept it. It is the second office in the United States in importance, and I am still in hopes you will accept it. It is impossible to let you stay at home while the public has so much need of talents. I am writing under a severe indisposition of periodical headach, without scarcely command enough of my mind to know what I write. As a part of this letter concerns Mr. Pinckney as well as yourself, be so good as to communicate so much of it to him; and, with my best respects to him, to Mrs. Monroe, and your daughter, be assured yourself, in all cases, of my constant and affectionate friendship and attachment.

TH. JEFFERSON.

M. LE COMTE DIODATI.

Washington, March 29, 1807.

MY DEAR AND ANTIENT FRIEND,

Your letter of August 29th reached me on the 18th of February. It inclosed a duplicate of that written from Brunswick five years before, but which I never received, or had notice of, but by this duplicate. Be assured, my friend, that I was incapable of such negligence towards you, as a failure to answer it would have implied. It would illy have accorded with those sentiments of friendship I entertained for you at Paris, and which neither time nor distance has lessened. I often pass in review the many happy hours I spent with Madame Diodati and yourself on the banks of the Seine, as well as at Paris, and I count them among the most pleasing I enjoyed in France. Those were indeed days of tranquillity and happiness. They had begun to cloud a little before I left you; but I had no apprehension that the tempest, of which I saw the beginning, was to spread over such an extent of space and time. I have often thought of you with anxiety, and wished to know how you weathered the storm, and into what port you had retired. The letters now received give me the first information, and I sincerely felicitate you on your safe and quiet retreat. Were I in Europe, *pax et panis* would certainly be my motto. Wars and contentions, indeed, fill the pages of history with more matter; but more blest is that nation whose silent course of happiness furnishes nothing for history to say. This is what I ambition for my own country, and what it has fortunately enjoyed now upwards of twenty years, while Europe has been in constant volcanic eruption. I again, my friend, repeat my joy that you have escaped the overwhelming torrent of its lava.

At the end of my present term, of which two years are yet to come, I propose to retire from public life, and to close my days on my patrimony of Monticello, in the bosom of my family. I have hitherto enjoyed uniform health; but the weight of public business begins to be too heavy for me, and I long for the enjoyments of rural life, among my books, my farms, and my family. Having performed my *quadragena stipendia*, I am entitled to my discharge, and should be sorry, indeed, that others should be sooner sensible than myself when I ought to ask it. I have, therefore, requested my fellow citizens to think of a successor for me, to whom I shall deliver the public concerns with greater joy than I received them. I have the consolation, too, of having added nothing to my private fortune during my public service, and of retiring with hands as clean as they are empty. Pardon me these egoisms, which, if ever excusable, are so when writing to a friend to whom our concerns are not uninteresting. I shall always be glad to hear of your health and happiness; and having been out of the way of hearing of any of our cotemporaries of the *corps diplomatique* at Paris, any details of their subsequent history which you will favour me with, will be thankfully received. I pray you to make my friendly respects acceptable to Madame la Comtesse Diodati; to assure M. Tronchin of my continued esteem; and to accept yourself my affectionate salutations, and assurances of constant attachment and respect.

TH. JEFFERSON.

TO MR. BOWDOIN.

Washington, April 2, 1807

Dear Sir,

I wrote you on the 10th of July last; but neither your letter of October the 20th, nor that of November the 15th, mentioning the receipt of it, I fear it has miscarried. I therefore now inclose a duplicate. As that was to go under cover of the Secretary of State's despatches by any vessel going from our distant ports, I retained the polygraph therein mentioned for a safer conveyance. None such has occurred till now that the United States armed brig, the Wasp, on her way to the Mediterranean, is to touch at Falmouth, with despatches for our ministers at London, and at Brest, with others for yourself and General Armstrong.

You heard in due time from London of the signature of a treaty there between Great Britain and the United States. By a letter we received in January from our ministers at London, we found they were making up their minds to sign a treaty, in which no provision was made against the impressment of our seamen, contenting themselves with a note received, in the course of their correspondence, from the British negotiators, assuring them of the discretion with which impressments should be conducted, which could be construed into a covenant only by inferences, against which its omission in the treaty was a strong inference; and in its terms totally unsatisfactory. By a letter of February the 3d, they were immediately informed that no treaty not containing a satisfactory article on that head would be ratified, and desiring them to resume the negotiations on that point. The treaty having come to us actually in the inadmissible shape apprehended, we, of course, hold it up until we know the result of the instructions of February the 3rd. I have but little expectation that the British government will retire from their habitual wrongs in the impressment of our seamen, and am certain, that without that, we will never tie up our hands by treaty from the right of passing a non-importation or non-intercourse act, to make it her interest to become just. This may bring on a war of commercial restrictions. To shew, however, the sincerity of our desire for conciliation, I have suspended the non-importation act. This state of things should be understood at Paris, and every effort used on your part to accommodate our differences with Spain, under the auspices of France, with whom it is all-important that we should stand in terms of the strictest cordiality. In fact, we are to depend on her and Russia for the establishment of neutral rights by the treaty of peace, among which should be that of taking no persons by a belligerent out of a neutral ship, unless they be the *soldiers* of an enemy. Never did a nation act towards another with more perfidy and injustice than Spain has constantly practised against us: and if we have kept our hands off of her till now, it has been purely out of respect to France, and from the value we set on the friendship of France. We expect, therefore, from the friendship of the Emperor, that he will either compel Spain to do us justice, or abandon her to us. We ask but one month to be in possession of the city of Mexico.

No better proof of the good faith of the United States could have been given, than the vigour with which we have acted, and the expense incurred, in suppressing the enterprise meditated lately by Burr against Mexico. Although at first, he proposed a separation of the western country, and on that ground received encouragement and aid from Yrujo, according to the usual spirit of his government towards us, yet he very early saw that the fidelity of the western country was not to be shaken, and turned himself wholly towards Mexico. And so popular is an enterprise on that country in this, that we had only to lie still, and he would have had followers enough to have been in the city of Mexico in six weeks. You have doubtless seen my several messages to Congress, which give a faithful narrative of that conspiracy. Burr himself, after being disarmed by our endeavours of all his followers, escaped from the custody of the court of Mississippi, but was taken near Fort Stoddart, making his way to Mobile, by some country people, who brought him on as a prisoner to Richmond, where he is now under a course for trial. Hitherto we have believed our law to be, that suspicion on probable grounds was sufficient cause to commit a person for trial, allowing time to collect witnesses till the trial. But the judges here have decided, that conclusive evidence of guilt must be ready in the moment of arrest, or they will discharge the malefactor. If this is still insisted on, Burr will be discharged; because his crimes having been sown from Maine, through the whole line of the western waters, to New Orleans, we cannot bring the witnesses here under four months. The fact is, that the federalists make Burr's cause their own, and exert their whole influence to shield him from punishment, as they did the adherents of Miranda.

And it is unfortunate that federalism is still predominant in our judiciary department, which is consequently in opposition to the legislative and executive branches, and is able to baffle their measures often.

Accept my friendly salutations, and assurances of great esteem and respect.

TH. JEFFERSON.

TO WILLIAM B. GILES.

Monticello, April 20, 1807.

DEAR SIR,

Your favour of the 6th instant, on the subject of Burr's offences, was received only four days ago. That there should be anxiety and doubt in the public mind, in the present defective state of the proof, is not wonderful; and this has been sedulously encouraged by the tricks of the judges to force trials before it is possible to collect the evidence, dispersed through a line of two thousand miles from Maine to Orleans. The federalists, too, give all their aid, making Burr's cause their own, mortified only that he did not separate the Union, or overturn the government, and proving, that had he had a little dawn of success, they would have joined him to introduce his object, their favourite monarchy, as they would any other enemy, foreign or domestic, who could rid them of this hateful republic for any other government in exchange.

The first ground of complaint was the supine inattention of the administration to a treason stalking through the land in open day. The present one, that they have crushed it before it was ripe for execution, so that no overt acts can be produced. This last may be true; though I believe it is not. Our information having been chiefly by way of letter, we do not know of a certainty yet what will be proved. We have set on foot an inquiry through the whole of the country which has been the scene of these transactions, to be able to prove to the courts, if they will give time, or to the public by way of communication to Congress, what the real facts have been. For obtaining this, we are obliged to appeal to the patriotism of particular persons in different places, of whom we have requested to make the inquiry in their neighbourhood, and on such information as shall be voluntarily offered. Aided by no process or facilities from the *federal* courts, but frowned on by their new-born zeal for the liberty of those whom we would not permit to overthrow the liberties of their country, we can expect no revealments from the accomplices of the chief offender. Of treasonable intentions, the judges have been obliged to confess there is probable appearance. What loophole they will find in the case, when it comes to trial, we cannot foresee. Eaton, Stoddart, Wilkinson, and two others whom I must not name, will satisfy the world, if not the judges, of Burr's guilt. And I do suppose the following overt acts will be proved. 1. The enlistment of men, in a regular way. 2. The regular mounting of guard round Blannerhassett's island when they expected Governor Tiffin's men to be on them, *in modo guerrino arraiati*. 3. The rendezvous of Burr with his men at the mouth of Cumberland. 4. His letter to the acting Governor of Mississippi, holding up the prospect of civil war 5. His capitulation regularly signed with the aids of the Governor, as between two independent and hostile commanders.

But a moment's calculation will shew that this evidence annot be collected under four months, probably five, from the moment of deciding when and where the trial shall be. I desired Mr. Rodney expressly to inform the Chief Justice of this, inofficially. But Mr. Marshall says, " more than five weeks have elapsed since the opinion of the Supreme Court has declared the necessity of proving the overt acts, if they exist. Why are they not proved?' In what terms of decency can we speak of this? As if an express could go to Natchez, or the mouth of Cumberland, and return in five weeks, to do which has never taken less than twelve. Again, ' if, in November or December last, a body of troops had been assembled on the Ohio, it is impossible to suppose the affidavits establishing the fact could not have been obtained by the last of March?' But I ask the Judge where they should have been lodged? At Frankfort? at Cincinnati? at Nashville? St. Louis? Natchez? New Orleans? These were the probable places of apprehension and examination. It was not known at *Washington* till the 26th of March that Burr would escape from the western tribunals, be retaken, and brought to an eastern one: and in five days after (neither five months nor five weeks, as the Judge calculated) he says, it is ' impossible to suppose the affidavits could not have been obtained.' Where? At Richmond he certainly meant, or meant only to throw dust in the eyes of his audience. But all the principles of law are to be perverted which would bear on the favourite offenders who endeavour to overturn this odious republic. ' I understand,' says the Judge, ' *probable* cause of guilt to be a case made out by *proof*, furnishing good reason to believe,' &c. Speaking as a lawyer, he must mean legal proof, *i. e.* proof on oath, at least. But this is confounding *probability* and *proof*. We had always before understood, that where there was reasonable ground to believe guilt, the offender must be put on his trial. That guilty intentions were probable, the Judge believed; and as to the overt acts, were not the bundle of letters of information in Mr. Rodney's hands, the letters and facts published in the local newspapers, Burr's flight, and the universal belief or rumour of his guilt, probable ground for presuming the facts of enlistment, military guard, rendezvous, threat of civil war, or capitulation, so as to put him on trial? Is there a candid man in the United States who does not believe some one, if not all, of these overt acts to have taken place?

If there ever had been an instance in this or the preceding administrations, of federal judges so applying principles of law as to condemn a federal, or acquit a republican offender, I should have judged them in the present case with more charity. All this, however, will work well. The nation will judge both the offender and judges for themselves. If a member of the executive or legislature does wrong, the day is never far distant when the people will remove him. They will see then and amend the error in our constitution, which makes any branch independent of the nation. They will see that one of the great co-ordinate branches of the government, setting itself in opposition to the other two, and to the common sense of the nation, proclaims impunity to that class of offenders which endeavours to overturn the constitution, and are themselves protected in it by the constitution itself: for impeachment is a farce which will not be tried again. If their protection of Burr produces this amendment, it will do more good than his condemnation would have done. Against Burr, personally, I never had one hostile sentiment. I never, indeed, thought him an honest, frank-dealing man, but considered him as a crooked gun, or other perverted machine, whose aim or shot you could never be sure of. Still, while he possessed the confidence of the nation, I thought it my duty to respect in him their confidence, and to treat him as if he deserved it: and if his punishment can be commuted now for an useful amendment of the constitution, I shall rejoice in it. My sheet being full, I perceive it is high time to offer you my friendly salutations, and assure you of my constant and affectionate esteem and respect.

TH. JEFFERSON

TO GEORGE HAY.

Washington, June 2, 1807.

DEAR SIR,

While Burr's case is depending before the court, I will trouble you from time to time with what occurs to me. I observe that the case of Marbury *v.* Madison has been cited, and I think it material to stop at the threshold the citing that case as authority, and to have it denied to be law. 1. Because the judges, in the outset, disclaimed all cognizance of the case; although they then went on to say what would have been their opinion, had they had cognizance of it. This then was confessedly an extrajudicial opinion, and as such of no authority. 2. Because, had it been judicially pronounced, it would have been against law; for to a commission, a deed, a bond, *delivery* is essential to give validity. Until, therefore, the commission is delivered out of the hands of the executive and his agents, it is not his deed. He may withhold or cancel it at pleasure, as he might his private deed in the same situation. The constitution intended that the three great branches of the government should be co-ordinate, and independent of each other. As to acts, therefore, which are to be done by either, it has given no control to another branch. A judge, I presume, cannot sit on a bench without a commission, or a record of a commission: and the constitution having given to the judiciary branch no means of compelling the executive either to *deliver* a commission, or to make a record of it, shews it did not intend to give the judiciary that control over the executive, but that it should remain in the power of the latter to do it or not. Where different branches have to act in their respective lines, finally and without appeal, under any law, they may give to it different and opposite constructions. Thus in the case of William Smith, the House of Representatives determined he was a citizen, and in the case of William Duane (precisely the same in every material circumstance), the judges determined he was no citizen. In the cases of Callendar and others, the judges determined the sedition act was valid under the constitution, and exercised their regular powers of sentencing them to fine and imprisonment. But the executive determined that the sedition act was a nullity under the constitution, and exercised his regular power of prohibiting the execution of the sentence, or rather of executing the real law, which protected the acts of the defendants. From these different constructions of the same act by different branches, less mischief arises, than from giving to any one of them a control over the others. The executive and Senate act on the construction, that until delivery from the executive department, a commission is in their possession and within their rightful power; and in cases of commissions not revocable at will, where, after the Senate's approbation and the President's signing and sealing, new information of the unfitness of the person has come to hand before the *delivery* of the commission, new nominations have been made and approved, and new commissions have issued.

On this construction I have hitherto acted; on this I shall ever act, and maintain it with the powers of the government, against any control which may be attempted by the judges in subversion of the independence of the executive and Senate within their peculiar department. I presume, therefore, that in a case where our decision is by the constitution the supreme one, and that which can be carried into effect, it is the constitutionally authoritative one, and that that by the judges was *coram non judice*, and unauthoritative, because it cannot be carried into effect. I have long wished for a proper occasion to have the gratuitous opinion in Marbury *v.* Madison brought before the public, and denounced as not law: and I think the present a fortunate one, because it occupies such a place in the public attention. I should be glad, therefore, if, in noticing that case, you could take occasion to express the determination of the executive, that the doctrines of that case were given extrajudicially and against law, and that their reverse will be the rule of action with the executive. If this opinion should not be your own, I would wish it to be expressed merely as that of the executive. If it is your own also, you would of course give to the arguments such a development, as a case, incidental only, might render proper.

I salute you with friendship and respect.

TH. JEFFERSON.

THOMAS JEFFERSON TO ALBERT GALLATIN.

I gave you, some time ago, a project of a more equal tariff on wines than that which now exists. But in that I yielded considerably to the faulty classification of them in our law. I have now formed one with attention, and according to the best information I possess, classing them more rigorously. I am persuaded that were the duty on cheap wines put on the same ratio with the dear, it would wonderfully enlarge the field of those who use wine, to the expulsion of whisky. The introduction of a very cheap wine (St. George) into my neighbourhood within two years past, has quadrupled in that time the number of those who keep wine, and will ere long increase them tenfold. This would be a great gain to the treasury, and to the sobriety of our country. I will here add my tariff, wherein you will be able to choose any rate of duty you please; and to decide whether it will not, on a fit occasion, be proper for legislative attention.

Affectionate salutations.

	cost per gal.	15 per cent.	20 per cent.	25 per cent being the average of present duties.	30 per cent	35 per cent		present duty		per cent.
Tokay, Cape, Malmsey, Hock	4 00	60	80	1 00	1 20	1 40	Tokay Malmsey Hock	45 cents, which is 58 .. .. 35		11 1 4 14 1 2 8 3-4
Champagne, Burgundy, Claret,* Hermitage	2 75	41 1-4	55	68 3 4	82 1 2	96 1 4	Champagne Burgundy Claret Hermitage	45 .. .. 35		16 1 2 12 1 2
London particular Madeira	2 20	33	44	55	66	77		58		26 1 2
All other Madeira	1 80	27	36	45	54	63		50		27 1 2
Pacharetti, Sherry	1 50	22 1 2	30	37 1 2	45	52 1 2	Pacharetti Sherry	23 .. .. 40		15 26 1 2
† The wines of Medoc and Grave not before mentioned, those of Palus, Coterotie, Condrieu, Moselle	1 25	18 3 4	25	31 1-4	37 1 2	43 3-4		35		28
St. Lucar and all of Portugal	80	12	16	20	24	28	St. Lucar Other Spanish	40 .. .. 23		50 28 3 4
Sicily, Teneriffe, Fayal, Malaga, St. George, and other western islands	67	10	13	16 3-4	20	23	Sicily Teneriffe, &c.	23 .. .. 28		34 41
All other wines	—	—	—	—	—	—	in bottles in casks	35 23	often 400 per cent.	

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* The term Claret should be abolished, because unknown in the country where it is made, and because indefinite here. The four crops should be enumerated here instead of Claret, and all other wines to which that appellation has been applied, should fall into the ad valorem class. The four crops are Lafitte, Latour and Margaux, in Medoc, and Hautbrion in Grave.

† Blanquefort, Calon, Leoville, Cantenac, &c., are wines of Medoc. Barsac, Sauterne, Beaume, Preignac, St. Bris, Carbonien, Langon, Podensac, &c., are of Grave. All these are of the second order, being next after the four crops.

June 3, 1807.

TO GEORGE HAY.

Washington, June 5, 1807.

Dear Sir,

Your favour of the 31st instant has been received, and I think it will be fortunate if any circumstance should produce a discharge of the present scanty grand jury, and a future summons of a fuller: though the same views of protecting the offender may again reduce the number to sixteen, in order to lessen the chance of getting twelve to concur. It is understood, that wherever Burr met with subjects who did not choose to embark in his projects, unless approved by their government, he asserted that he had that approbation. Most of them took his word for it, but it is said that with those who would not, the following stratagem was practised. A forged letter, purporting to be from General Dearborne, was made to express his approbation, and to say that I was absent at Monticello, but that there was no doubt that on my return, my approbation of his enterprizes would be given. This letter was spread open on his table, so as to invite the eye of whoever entered his room, and he contrived occasions of sending up into his room those whom he wished to become witnesses of his acting under sanction. By this means he avoided committing himself to any liability to prosecution for forgery, and gave another proof of being a great man in little things, while he is really small in great ones. I must add General Dearborne's declaration, that he never wrote a letter to Burr in his life, except that when here, once in a winter, he usually wrote him a billet of invitation to dine. The only object of sending you the enclosed letters, is to possess you of the fact, that you may know how to pursue it, if any of your witnesses should know any thing of it. My intention in writing to you several times, has been to convey facts or observations occurring in the absence of the Attorney General, and not to make to the dreadful drudgery you are going through the unnecessary addition of writing me letters in answer, which I beg you to relieve yourself from, except when some necessity calls for it.

I salute you with friendship and respect.

Th. Jefferson.

TO DOCTOR HORATIO TURPIN.

Washington, June 10, 1807.

DEAR SIR,

Your favour of June the 1st has been duly received. To
mind like yours, capable in any question of abstracting it
om its relation to yourself, I may safely hazard explana-
ons, which I have generally avoided to others on questions
appointment. Bringing into office no desires of making it
bservient to the advancement of my own private interests, it
s been no sacrifice, by postponing them, to strengthen the
nfidence of my fellow citizens. But I have not felt equal
difference towards excluding merit from office, merely be-
use it was related to me. However, I have thought it my
ty so to do, that my constituents may be satisfied, that, in
lecting persons for the management of their affairs, I am
fluenced by neither personal nor family interests, and espe-
ally, that the field of public office will not be perverted by
e into a family property. On this subject, I had the benefit
useful lessons from my predecessors, had I needed them,
arking what was to be imitated and what avoided. But in
uth, the nature of our government is lesson enough. Its
ergy depending mainly on the confidence of the people in
eir chief magistrate, makes it his duty to spare nothing
hich can strengthen him with that confidence.

* * * * *

Accept assurances of my constant friendship and respect.

TH. JEFFERSON.

TO JOHN NORVELL.

Washington, June 11, 1807.

SIR,

Your letter of May the 9th has been duly received. The
bjects it proposes would require time and space for even
oderate development. My occupations limit me to a very
ort notice of them. I think there does not exist a good ele-
entary work on the organization of society into civil govern-
ent: I mean a work which presents in one full and compre-

hensive view the system of principles on which such an organization should be founded, according to the rights of nature. For want of a single work of that character, I should recommend Locke on Government, Sidney, Priestley's Essay on the first Principles of Government, Chipman's Principles of Government, and the Federalist. Adding, perhaps, Beccaria on Crimes and Punishments, because of the demonstrative manner in which he has treated that branch of the subject. If your views of political inquiry go further, to the subjects of money and commerce, Smith's Wealth of Nations is the best book to be read, unless Say's Political Economy can be had, which treats the same subjects on the same principles, but in a shorter compass and more lucid manner. But I believe this work has not been translated into our language.

History, in general, only informs us what bad government is. But as we have employed some of the best materials of the British constitution in the construction of our own government, a knowledge of British history becomes useful to the American politician. There is, however, no general history of that country which can be recommended. The elegant one of Hume seems intended to disguise and discredit the good principles of the government, and is so plausible and pleasing in its style and manner, as to instil its errors and heresies insensibly into the minds of unwary readers. Baxter has performed a good operation on it. He has taken the text of Hume as his ground work, abridging it by the omission of some details of little interest, and wherever he has found him endeavouring to mislead, by either the suppression of a truth or by giving it a false colouring, he has changed the text to what it should be, so that we may properly call it Hume's history republicanized. He has, moreover, continued the history (but indifferently) from where Hume left it, to the year 1800. The work is not popular in England, because it is republican; and but a few copies have ever reached America. It is a single quarto volume. Adding to this Ludlow's Memoirs, Mrs. M'Cauley's and Belknap's histories, a sufficient view will be presented of the free principles of the English constitution.

To your request of my opinion of the manner in which a newspaper should be conducted, so as to be most useful, I should answer, 'by restraining it to true facts and sound principles only.' Yet I fear such a paper would find few subscribers. It is a melancholy truth, that a suppression of the press could not more completely deprive the nation of its benefits, than is done by its abandoned prostitution to falsehood. Nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle. The real extent of this state of misinformation is known only to those who are in situations to confront facts within their knowledge with the lies of the day. I really look with commiseration over the great body of my fellow citizens, who, reading newspapers, live and die in the belief, that they have known something of what has been passing in the world in their time; whereas the accounts they have read in newspapers are just as true a history of any other period of the world as of the present, except that the real names of the day are affixed to their fables. General facts may indeed be collected from them, such as that Europe is now at war, that Buonaparte has been a successful warrior, that he has subjected a great portion of Europe to his will, &c. &c.; but no details can be relied on. I will add, that the man who never looks into a newspaper is better informed than he who reads them; inasmuch as he who knows nothing is nearer to truth than he whose mind is filled with falsehoods and errors. He who reads nothing will still learn the great facts, and the details are all false.

Perhaps an editor might begin a reformation in some such way as this. Divide his paper into four chapters, heading the 1st, Truths; 2d, Probabilities; 3d, Possibilities; 4th, Lies. The 1st chapter would be very short, as it would contain little more than authentic papers, and information from such sources, as the editor would be willing to risk his own reputation for their truth. The 2d would contain what, from a mature consideration of all circumstances, his judgment should conclude to be probably true. This, however, should rather contain too little than too much. The 3d and 4th should be professedly for those readers who would rather have lies for their money than the blank paper they would occupy.

Such an editor, too, would have to set his face against the demoralizing practice of feeding the public mind habitually on slander, and the depravity of taste which this nauseous aliment induces. Defamation is becoming a necessary of life; insomuch, that a dish of tea in the morning or evening cannot be digested without this stimulant. Even those who do not believe these abominations, still read them with complaisance to their auditors, and instead of the abhorrence and indignation which should fill a virtuous mind, betray a secret pleasure in the possibility that some may believe them, though they do not themselves. It seems to escape them, that it is not he who prints, but he who pays for printing a slander, who is its real author.

These thoughts on the subjects of your letter are hazarded at your request. Repeated instances of the publication of what has not been intended for the public eye, and the malignity with which political enemies torture every sentence from me into meanings imagined by their own wickedness only, justify my expressing a solicitude, that this hasty communication may in nowise be permitted to find its way into the public papers. Not fearing these political bull-dogs, I yet avoid putting myself in the way of being baited by them, and do not wish to volunteer away that portion of tranquillity, which a firm execution of my duties will permit me to enjoy.

I tender you my salutations, and best wishes for your success.

TH. JEFFERSON.

TO WILLIAM SHORT.

Washington, June 12, 1807.

DEAR SIR,

* * * * * *

The proposition in your letter of May the 16th, of adding an umpire to our discordant negotiators at Paris, struck me favourably on reading it, and reflection afterwards strengthened my first impressions. I made it therefore a subject of consultation with my coadjutors, as is our usage. For our government, although in theory subject to be directed by the unadvised will of the President, is, and from its origin has been, a very different thing in practice. The minor business in each department is done by the Head of the department, on consultation with the President alone. But all matters of importance or difficulty are submitted to all the Heads of departments composing the cabinet; sometimes by the President's consulting them separately and successively, as they happen to call on him; but in the greatest cases, by calling them together, discussing the subject maturely, and finally taking the vote, in which the President counts himself but as one. So that, in all important cases, the executive is, in fact, a directory, which certainly the President might control: but of this there was never an example, either in the first or the present administration. I have heard, indeed, that my predecessor sometimes decided things against his council * * *

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* * * * * * I adopted in the

present case the mode of separate consultation. The opinion of each member, taken separately was, that the addition of a third negotiator was not at this time advisable. For the present, therefore, the question must rest. Mr. Bowdoin, we know, is anxious to come home, and is detained only by the delicacy of not deserting his post. In the existing temper between him and his colleague, it would certainly be better that one of them should make an opening for re-composing the commission more harmoniously.

I salute you with affection and respect.

TH. JEFFERSON.

TO GEORGE HAY.

Washington, June 12, 1807.

DEAR SIR,

Your letter of the 9th is this moment received. Reserving the necessary right of the President of the United States to decide, independently of all other authority, what papers, coming to him as President, the public interests permit to be communicated, and to whom, I assure you of my readiness, under that restriction, voluntarily to furnish, on all occasions, whatever the purposes of justice may require. But the letter of General Wilkinson, of October the 21st, requested for the defence of Colonel Burr, with every other paper relating to the charges against him, which were in my possession when the Attorney-General went on to Richmond in March, I then delivered to him: and I have always taken for granted he left the whole with you. If he did, and the bundle retains the order in which I had arranged it, you will readily find the letter desired, under the date of its receipt, which was November the 25th; but lest the Attorney-General should not have left those papers with you, I this day write to him to forward this one by post. An uncertainty whether he is at Philadelphia, Wilmington, or New Castle, may produce delay in his receiving my letter, of which it is proper you should be apprised. But, as I do not recollect the whole contents of that letter, I must beg leave to devolve on you the exercise of that discretion which it would be my right and duty to exercise, by withholding the communication of any parts of the letter, which are not directly material for the purposes of justice.

With this application, which is specific, a prompt compliance is practicable. But when the request goes to 'copies of the orders issued in relation to Colonel Burr, to the officers at Orleans, Natchez, &c. by the Secretaries of the War and Navy departments,' it seems to cover a correspondence of many months, with such a variety of officers, civil and military, all over the United States, as would amount to the laying open the whole executive books. I have desired the Secretary at War to examine his official communications; and on a view of these, we may be able to judge what can and ought to be done, towards a compliance with the request. If the defendant alleges that there was any particular order, which, as a cause, produced any particular act on his part, then he must know what this order was, can specify it, and a prompt answer can be given. If the *object* had been specified, we might then have had some guide for our conjectures, as to what part of the executive records might be useful to him; but, with a perfect willingness to do what is right, we are without the indications which may enable us to do it. If the researches of the Secretary at War should produce any thing proper for communication, and pertinent to any point we can conceive in the defence before the court, it shall be forwarded to you.

I salute you with respect and esteem.

TH. JEFFERSON.

TO GEORGE HAY.

Washington, June 17, 1807.

SIR,

In answering your letter of the 9th, which desired a communication of one to me from General Wilkinson, specified by its date, I informed you in mine of the 12th that I had delivered it, with all other papers respecting the charges against Aaron Burr, to the Attorney-General, when he went to Richmond; that I had supposed he had left them in your possession, but would immediately write to him, if he had not, to forward that particular letter without delay. I wrote to him accordingly on the same day, but having no answer, I know not whether he has forwarded the letter. I stated in the same letter, that I had desired the Secretary at War to examine his office, in order to comply with your further request, to furnish copies of the orders which had been given respecting Aaron Burr and his property; and in a subsequent letter of the same day, I forwarded to you copies of two letters from the Secretary at War, which appeared to be within the description expressed in your letter. The order from the Secretary of the Navy, you said, you were in possession of. The receipt of these papers had, I presume, so far anticipated, and others this day forwarded will have substantially fulfilled, the object of a subpœna from the District Court of Richmond, requiring that those officers and myself should attend the Court in Richmond, with the letter of General Wilkinson, the answer to that letter, and the orders of the departments of War and the Navy, therein generally described. No answer to General Wilkinson's letter, other than a mere acknowledgment of its receipt, in a letter written for a different purpose, was ever written by myself or any other. To these communications of papers, I will add, that if the defendant supposes there are any facts within the knowledge of the heads of departments, or of myself, which can be useful for his defence, from a desire of doing any thing our situation will permit in furtherance of justice, we shall be ready to give him the benefit of it, by way of deposition, through any persons whom the Court shall authorise to take our testimony at this place. I know, indeed, that this cannot be done but by consent of parties; and I therefore authorise you to give consent on the part of the United States. Mr. Burr's consent will be given of course, if he supposes the testimony useful.

As to our personal attendance at Richmond, I am persuaded the Court is sensible, that paramount duties to the nation at large control the obligation of compliance with their summons in this case; as they would, should we receive a similar one, to attend the trials of Blannerhassett and others, in the Mississippi territory, those instituted at St. Louis, and other places on the western waters, or at any place, other than the seat of government. To comply with such calls would leave the nation without an executive branch, whose agency, nevertheless, is understood to be so constantly necessary, that it is the sole branch which the constitution requires to be always in function. It could not, then, mean that it should be withdrawn from its station by any co-ordinate authority.

With respect to papers, there is certainly a public and a private side to our offices. To the former belong grants of land, patents for inventions, certain commissions, proclamations, and other papers patent in their nature. To the other belong mere executive proceedings. All nations have found it necessary, that, for the advantageous conduct of their affairs, some of these proceedings, at least, should remain known to their executive functionary only. He, of course, from the nature of the case, must be the sole judge of which of them the public interests will permit publication. Hence, under our constitution, in requests of papers, from the legislative to the executive branch, an exception is carefully expressed, as to those which he may deem the public welfare may require not to be disclosed; as you will see in the inclosed resolution of the House of Representatives, which produced the message of January 22d, respecting this case. The respect mutually due between the constituted authorities, in their official intercourse, as well as sincere dispositions to do for every one what is just, will always insure from the executive, in exercising the duty of discrimination confided to him, the same candour and integrity to which the nation has in like manner trusted in the disposal of its judiciary authorities.

Considering you as the organ for communicating these sentiments to the Court, I address them to you for that purpose, and salute you with esteem and respect.

Th. Jefferson.

TO GEORGE HAY.

Washington, June 19, 1807.

Dear Sir,

Yours of the 17th was received last night. Three blank pardons had been (as I expect) made up and forwarded by the mail of yesterday, and I have desired three others to go by that of this evening. You ask what is to be done if Bollman finally rejects his pardon, and the Judge decides it to have no effect? Move to commit him immediately for treason or misdemeanor, as you think the evidence will support; let the court decide where he shall be sent for trial; and on application, I will have the marshal aided, in his transportation, with the executive means. And we think it proper, further, that when Burr shall have been convicted of either treason or misdemeanor, you should immediately have committed all those persons against whom you should find evidence sufficient, whose agency has been so prominent as to mark them as proper objects of punishment, and especially where their boldness has betrayed an inveteracy of criminal disposition. As to obscure offenders and repenting ones, let them lie for consideration.

I inclose you the copy of a letter received last night, and giving singular information. I have inquired into the character of Graybell. He was an old revolutionary captain, is now a flour merchant in Baltimore, of the most respectable character, and whose word would be taken as implicitly as any man's for whatever he affirms. The letter writer, also, is a man of entire respectability. I am well informed, that for more than a twelvemonth it has been believed in Baltimore, generally, that Burr was engaged in some criminal enterprise, and that Luther Martin knew all about. We think you should immediately despatch a subpœna for Graybell; and while that is on the road, you will have time to consider in what form you will use his testimony; e. g. shall Luther Martin be summoned as a witness against Burr, and Graybell held ready to confront him? It may be doubted whether we could examine a witness to discredit our own witness. Besides, the lawyers say that they are privileged from being forced to breaches of confidence, and that no others are. Shall we move to commit Luther Martin, as *particeps criminis* with Burr? Graybell will fix upon him misprision of treason at least. At any rate, his evidence will put down this unprincipled and impudent federal bull-dog, and add another proof that the most clamorous defenders of Burr are all his accomplices. It will explain why Luther Martin flew so hastily to the aid of his 'honourable friend,' abandoning his clients and their property during a session of a principal court in Maryland, now filled, as I am told, with the clamours and ruin of his clients. I believe we shall send on Latrobe as a witness. He will prove that Aaron Burr endeavoured to get him to engage several thousand men, chiefly Irish emigrants, whom he had been in the habit of employing in the works he directs, under pretence of a canal opposite Louisville, or of the Washita, in which, had he succeeded, he could with that force alone have carried every thing before him, and would not have been where he now is. He knows, too, of certain meetings of Burr, Bollman, Yrujo, and one other whom we have never named yet, but have him not the less in our view.

I salute you with friendship and respect.

TH. JEFFERSON.

P. S. Will you send us half a dozen blank subpœnas?

Since writing the within I have had a conversation with

Latrobe. He says it was five hundred men he was desired to engage. The pretexts were, to work on the Ohio canal, and be paid in Washita lands. Your witnesses will some of them prove that Burr had no interest in the Ohio canal; and that consequently this was a mere pretext to cover the real object from the men themselves, and all others. Latrobe will set out in the stage of to-morrow evening, and be with you Monday evening. T. J.

TO GOVERNOR SULLIVAN.

Washington, June 19, 1807.

Dear Sir,

In acknowledging the receipt of your favour of the 3rd instant, I avail myself of the occasion it offers of tendering to yourself, to Mr. Lincoln, and to your State, my sincere congratulations on the late happy event of the election of a republican executive to preside over its councils. The harmony it has introduced between the legislative and executive branches, between the people and both of them, and between all and the General Government, are so many steps towards securing that union of action and effort in all its parts, without which no nation can be happy or safe. The just respect with which all the States have ever looked to Massachusetts, could leave none of them without anxiety while she was in a state of alienation from her family and friends. Your opinion of the propriety and advantage of a more intimate correspondence between the executives of the several States, and that of the Union, as a central point, is precisely that which I have ever entertained; and on coming into office I felt the advantages which would result from that harmony. I had it even in contemplation, after the annual recommendation to Congress of those measures called for by the times, which the constitution had placed under their power, to make communications in like manner to the executives of the States, as to any parts of them to which their legislatures might be alone competent: for many are the exercises of power reserved to the States, wherein an uniformity of proceeding would be advantageous to all. Such are quarantines, health laws, regulations of the press, banking institutions, training militia, &c. &c. But you know what was the state of the several governments when I came into office—that a great proportion of them were federal, and would have been delighted with such opportunities of proclaiming their contempt, and of opposing republican men and measures. Opportunities so furnished and used by some of the State governments, would have produced an ill effect, and would have insured the failure of the object of uniform proceeding. If it could be ventured even now (Connecticut and Delaware being still hostile) it must be on some greater occasion than is likely to arise within my time. I look to it, therefore, as a course which will probably be tò be left to the consideration of my successor.

I consider, with you, the federalists as completely vanquished, and never more to take the field under their own banners. They will now reserve themselves to profit by the schisms among republicans, and to earn favours from minorities, whom they will enable to triumph over their more numerous antagonists. So long as republican minorities barely accept their votes, no great harm will be done; because it will only place in power one shade of republicanism instead of another. But when they purchase the votes of the federalists, by giving them a participation of office, trust, and power, it is a proof that anti-monarchism is not their strongest passion. I do not think that the republican minority in Pennsylvania has fallen into this heresy, nor that there are in your State materials of which a minority can be made who will fall into it.

With respect to the tour my friends to the north have proposed that I should make in that quarter, I have not made up a final opinion. The course of life which General Washington had run, civil and military, the services he had rendered, and the space he therefore occupied in the affections of his fellow citizens, take from his examples the weight of precedents for others, because no others can arrogate to themselves the claims which he had on the public homage. To myself, therefore, it comes as a new question, to be viewed under all the phases it may present. I confess that I am not reconciled to the idea of a chief magistrate parading himself through the several States, as an object of public gaze, and in quest of an applause which, to be valuable, should be purely voluntary. I had rather acquire silent good will by a faithful discharge of my duties, than owe expressions of it to my putting myself in the way of receiving them. Were I to make such a tour to Portsmouth, or Portland, I must do it to Savannah, perhaps to Orleans and Frankfort. As I have never yet seen the time when the public business would have permitted me to be so long in a situation in which I could not carry it on, so I have no reason to expect that such a time will come while I remain in office.

A journey to Boston or Portsmouth, after I shall be a private citizen, would much better harmonize with my feelings, as well as duties; and, founded in curiosity, would give no claim to an extension of it. I should see my friends, too, more at our mutual ease, and be left more exclusively to their society. However, I end as I began, by declaring I have made up no opinion on the subject, and that I reserve it as a question for future consideration and advice.

In the mean time, and at all times, I salute you with great respect and esteem.

Th. Jefferson.

TO GEORGE HAY.

Washington, June 20, 1807.

Dear Sir,

Mr. Latrobe now comes on as a witness against Burr. His presence here is with great inconvenience dispensed with, as one hundred and fifty workmen require his constant directions on various public works of pressing importance. I hope you will permit him to come away as soon as possible. How far his testimony will be important as to the prisoner, I know not; but I am desirous that those meetings of Yrujo with Burr and his principal accomplices, should come fully out; and judicially, as they will establish the just complaints we have against his nation.

I did not see, till last night, the opinion of the Judge on the *subpœna duces tecum* against the President. Considering the question there as *coram non judice*, I did not read his argument with much attention. Yet I saw readily enough, that, as is usual where an opinion is to be supported, right or wrong, he dwells much on smaller objections, and passes over those which are solid. Laying down the position generally, that all persons owe obedience to subpœnas, he admits no exception unless it can be produced in his law books. But if the constitution enjoins on a particular officer to be always engaged in a particular set of duties imposed on him, does not this supersede the general law, subjecting him to minor duties inconsistent with these? The constitution enjoins his constant agency in the concerns of six millions of people. Is the law paramount to this, which calls on him on behalf of a single one? Let us apply the Judge's own doctrine to the case of himself and his brethren. The sheriff of Henrico summons him from the bench, to quell a riot somewhere in his county. The federal judge is, by the general law, a part of the *posse* of the State sheriff. Would the Judge abandon major duties to perform lesser ones? Again, the court of Orleans or Maine commands, by subpœnas, the attendance of all the judges of the Supreme Court. Would they abandon their posts as judges, and the interests of millions committed to them, to serve the purposes of a single individual? The leading principle of our constitution is the independence of the legislature, executive, and judiciary, of each other, and none are more jealous of this than the judiciary. But would the executive be independent of the judiciary, if he were subject to the *commands* of the latter, and to imprisonment for disobedience; if the several courts could bandy him from pillar to post, keep him constantly trudging from north to south and east to west, and withdraw him entirely from his constitutional duties? The intention of the constitution, that each branch should be independent of the others, is further manifested by the means it has furnished to each, to protect itself from enterprises of force attempted on them by the others; and to none has it given more effectual or diversified means than to the executive. Again, because ministers can go into a court in London, as witnesses, without interruption to their executive duties, it is inferred that they would go to a court one thousand or one thousand five hundred miles off, and that ours are to be dragged from Maine to Orleans by every criminal who will swear that their testimony 'may be of use to him.' The Judge says, '*it is apparent* that the President's duties as chief magistrate do not demand his whole time, and are not unremitting.' If he alludes to our annual retirement from the seat of government, during the sickly season, he should be told that such arrangements are made for carrying on the public business, at and between the several stations we take, that it goes on as unremittingly there, as if we were at the seat of government. I pass more hours in public business at Monticello than I do here, every day; and it is much more laborious, because all must be done in writing. Our stations being known, all communications come to them regularly, as to fixed points. It would be very different were we always on the road, or placed in the noisy and crowded taverns where courts are held. Mr. Rodney is expected here every hour, having been kept away by a sick child.

I salute you with friendship and respect.

TH. JEFFERSON.

TO DOCTOR WISTAR.

Washington, June 21, 1807.

Dear Sir,

I have a grandson, the son of Mr. Randolph, now about fifteen years of age, in whose education I take a lively interest.

* * * * * *

I am not a friend to placing young men in populous cities, because they acquire there habits and partialities, which do not contribute to the happiness of their after life. But there are particular branches of science, which are not so advantageously taught any where else in the United States as in Philadelphia. The garden at the Woodlands for Botany, Mr. Peale's Museum for Natural History, your Medical School for Anatomy, and the able professors in all of them, give advantages not to be found elsewhere. We propose, therefore, to send him to Philadelphia to attend the schools of Botany, Natural History, Anatomy, and perhaps Surgery; but not of Medicine. And why not of Medicine, you will ask? Being led to the subject, I will avail myself of the occasion to express my opinions on that science, and the extent of my medical creed. But, to finish first with respect to my grandson, I will state the favour I ask of you, and which is the object of this letter.

* * * * * * *

This subject dismissed, I may now take up that which it led to, and further tax your patience with unlearned views of medicine; which, as in most cases, are, perhaps, the more confident in proportion as they are less enlightened.

We know, from what we see and feel, that the animal body is, in its organs and functions, subject to derangement, inducing pain, and tending to its destruction. In this disordered state, we observe nature providing for the re-establishment of order, by exciting some salutary evacuation of the morbific matter, or by some other operation which escapes our imperfect senses and researches. She brings on a crisis, by stools, vomiting, sweat, urine, expectoration, bleeding, &c., which, for the most part, ends in the restoration of healthy action. Experience has taught us also, that there are certain substances, by which, applied to the living body, internally or externally, we can at will produce these same evacuations, and thus do, in a short time, what nature would do but slowly, and do effectually, what perhaps she would not have strength to accomplish. Where, then, we have seen a disease, characterised by specific signs or phenomena, and relieved by a certain natural evacuation or process, whenever that disease recurs under the same appearances, we may reasonably count on producing a solution of it, by the use of such substances as we have found produce the same evacuation or movement. Thus, fulness of the stomach we can relieve by emetics; diseases of the bowels, by purgatives; inflammatory cases, by bleeding; intermittents, by the Peruvian bark; syphilis, by mercury; watchfulness, by opium, &c. So far, I bow to the utility of medicine. It goes to the well-defined forms of disease, and happily, to those the most frequent. But the disorders of the animal body, and the symptoms indicating them, are as various as the elements of which the body is composed. The combinations, too, of these symptoms, are so infinitely diversified, that many associations of them appear too rarely to establish a definite disease; and to an unknown disease, there cannot be a known remedy. Here then, the judicious, the moral, the humane physician should stop. Having been so often a witness to the salutary efforts which nature makes to re-establish the disordered functions, he should rather trust to their action, than hazard the interruption of that, and a greater derangement of the system, by conjectural experiments on a machine so complicated and so unknown as the human body, and a subject so sacred as human life. Or, if the appearance of doing something be necessary to keep alive the hope and spirits of the patient, it should be of the most innocent character. One of the most successful physicians I have ever known, has assured me, that he used more bread pills, drops of coloured water, and powders of hickory ashes, than of all other medicines put together. It was certainly a pious fraud. But the adventurous physician goes on, and substitutes presumption for knowledge. From the scanty field of what is known, he launches into the boundless region of what is unknown. He establishes for his guide some fanciful theory of corpuscular attraction, of chemical agency, of mechanical powers, of stimuli, of irritability accumulated or exhausted, of depletion by the lancet and repletion by mercury, or some other ingenious dream, which lets him into all nature's secrets at short-hand. On the principle which he thus assumes, he forms his table of nosology, arrays his diseases into families, and extends his curative treatment, by analogy, to all the cases he has thus arbitrarily marshaled together. I have lived myself to see the disciples of Hoffman, Boerhaave, Stalh, Cullen, Brown, succeed one another like the shifting figures of a magic lanthern, and their fancies, like the dresses of the annual doll-babies from Paris, becoming, from their novelty, the vogue of the day, and yielding to the next novelty their ephemeral favour. The patient, treated on the fashionable theory, sometimes gets well in spite of the medicine. The medicine therefore restored him, and the young doctor receives new courage to proceed in his bold experiments on the lives of his fellow creatures. I believe we may safely affirm, that the inexperienced and presumptuous band of medical tyros, let loose upon the world, destroys more of human life in one year, than all the Robin Hoods, Cartouches, and Macheaths, do in a century. It is in this part of medicine that I wish to see a reform, an abandonment of hypothesis for sober facts, the first degree of value set on clinical observation, and the lowest on visionary theories. I would wish the young practitioner, especially, to have deeply impressed on his mind, the real limits of his art, and that, when the state of his patient gets beyond these, his office is to be a watchful, but quiet spectator of the operations of nature, giving them fair play by a well regulated regimen, and by all the aid they can derive from the excitement of good spirits and hope in the patient. I have no doubt, that some diseases not yet understood, may, in time, be transferred to the table of those known. But, were I a physician, I would rather leave the transfer to the slow hand of accident, than hasten it by guilty experiments on those who put their lives into my hands. The only sure foundations of medicine are, an intimate knowledge of the human body, and observation on the effects of medicinal substances on that. The anatomical and clinical schools, therefore, are those in which the young physician should be formed. If he enters with innocence that of the theory of medicine, it is scarcely possible he should come out untainted with error. His mind must be strong indeed, if, rising above juvenile credulity, it can maintain a wise infidelity against the authority of his instructors, and the bewitching delusions of their theories. You see that I estimate justly that portion of instruction which our medical students derive from your labours; and, associating with it one of the chairs, which my old and able friend, Doctor Rush, so honourably fills, I consider them as the two fundamental pillars of the edifice. Indeed, I have such an opinion of the talents of the professors in the other branches which constitute the school of medicine with you, as to hope and believe, that it is from this side of the Atlantic, that Europe, which has taught us so many other things, will at length be led into sound principles in this branch of science, the most important of all others, being that to which we commit the care of health and life.

I dare say, that by this time you are sufficiently sensible that old heads as well as young, may sometimes be charged with ignorance and presumption. The natural course of the human mind is certainly from credulity to scepticism: and this is perhaps the most favourable apology I can make for venturing so far out of my depth, and to one, too, to whom the strong as well as the weak points of this science are so familiar. But having stumbled on the subject in my way, I wished to give a confession of my faith to a friend; and the rather, as I had, perhaps, at times, to him, as well as others, expressed my scepticism in medicine, without defining its extent or foundation. At any rate, it has permitted me, for a moment, to abstract myself from the dry and dreary waste of politics, into which I have been impressed by the times on which I happened, and to indulge in the rich fields of nature, where alone I should have served as a volunteer, if left to my natural inclinations and partialities.

I salute you at all times with affection and respect.

TH. JEFFERSON.

TO MR. BOWDOIN.

Washington, July 10, 1807.

DEAR SIR,

I wrote you on the 10th of July, 1806, but supposing, from your not acknowledging the receipt of the letter, that it had miscarried, I sent a duplicate with my subsequent one of April the 2nd. These having gone by the Wasp, you will doubtless have received them. Since that, yours of May the 1st has come to hand. You will see by the despatches from the department of State, carried by the armed vessel the Revenge, into what a critical state our peace with Great Britain is suddenly brought, by their armed vessels in our waters. Four vessels of war (three of them two-deckers) closely blockade Norfolk at this instant. Of the authority under which this aggression is committed, their minister here is unapprised. You will see by the proclamation of July the 2nd, that (while we are not omitting such measures of force as are immediately necessary) we propose to give Great Britain an opportunity of disavowal and reparation, and to leave the question of war, non-intercourse, or other measures, uncommitted, to the legislature. This country has never been in such a state of excitement since the battle of Lexington. In this state of things, cordial friendship with France, and peace at least with Spain, become more interesting. You know the circumstances respecting this last power, which have rendered it ineligible that you should have proceeded heretofore to your destination. But this obstacle is now removed by their recal of Yrujo, and appointment of another minister, and, in the mean time, of a charge des affaires, who has been received. The way being now open for taking your station at Madrid, it is certainly our wish you should do so, and that this may be more agreeable to you than your return home, as is solicited in yours of May the 1st. It is with real unwillingness we should relinquish the benefit of your services. Nevertheless, if your mind is decidedly bent on that, we shall regret, but not oppose, your return. The choice, therefore, remains with yourself. In the mean time, your place in the joint commission being vacated by either event, we shall take the measures rendered necessary by that. We have seen, with real grief, the misunderstanding which has taken place between yourself and General Armstrong. We are neither qualified nor disposed to form an opinion between you. We regret the pain which must have been felt by persons, both of whom hold so high a place in our esteem, and we have not been without fear that the public interest might suffer by it. It has seemed, however, that the state of Europe has been such as to admit little to be done, in matters so distant from them.

The present alarm has had the effect of suspending our foreign commerce. No merchant ventures to send out a single vessel; and I think it probable this will continue very much the case till we get an answer from England. Our crops are uncommonly plentiful. That of small grain is now secured south of this, and the harvest is advancing here.

Accept my salutations, and assurances of affectionate esteem and respect.

TH. JEFFERSON.

TO THE MARQUIS DE LA FAYETTE.

Washington, July 14, 1807.

My Dear Friend,

I received last night your letters of February the 20th and April the 29th, and a vessel just sailing from Baltimore enables me hastily to acknowledge them; to assure you of the welcome with which I receive whatever comes from you, and the continuance of my affectionate esteem for yourself and family. I learn with much concern, indeed, the state of Madame de la Fayette's health. I hope I have the pleasure yet to come of learning its entire re-establishment. She is too young not to give great confidence to that hope.

Measuring happiness by the American scale, and sincerely wishing that of yourself and family, we had been anxious to see them established on this side of the great water. But I am not certain that any equivalent can be found for the loss of that species of society, to which our habits have been formed from infancy. Certainly had you been, as I wished, at the head of the government of Orleans, Burr would never have given me one moment's uneasiness. His conspiracy has been one of the most flagitious of which history will ever furnish an example. He meant to separate the Western States from us, to add Mexico to them, place himself at their head, establish what he would deem an energetic government, and thus provide an example and an instrument for the subversion of our freedom. The man who could expect to effect this, with American materials, must be a fit subject for Bedlam. The seriousness of the crime, however, demands more serious punishment. Yet, although there is not a man in the United States who doubts his guilt, such are the jealous provisions of our laws in favour of the accused against the accuser, that I question if he is convicted. Out of forty-eight jurors to be summoned, he is to select the twelve who are to try him, and if there be any one who will not concur in finding him guilty, he is discharged of course. I am sorry to tell you that Bollman was Burr's right hand man in all his guilty schemes. On being brought to prison here, he communicated to Mr. Madison and myself the whole of the plans, always, however, apologetically for Burr, as far as they would bear. But his subsequent tergiversations have proved him conspicuously base. I gave him a pardon, however, which covers him from every thing but infamy. I was the more astonished at his engaging in this business, from the peculiar motives he should have felt for fidelity. When I came into the government, I sought him out on account of the services he had rendered you, cherished him, offered him two different appointments of value, which, after keeping them long under consideration, he declined for commercial views, and would have given him any thing for which he was fit. Be assured he is unworthy of ever occupying again the care of any honest man. Nothing has ever so strongly proved the innate force of our form of government, as this conspiracy. Burr had probably engaged one thousand men to follow his fortunes, without letting them know his projects, otherwise than by assuring them the government approved of them. The moment a proclamation was issued, undeceiving them, he found himself left with about thirty desperadoes only. The people rose in mass wherever he was, or was suspected to be, and by their own energy the thing was crushed in one instant, without its having been necessary to employ a man of the military but to take care of their respective stations. His first enterprise was to have been to seize New Orleans, which he supposed would powerfully bridle the upper country, and place him at the door of Mexico. It is with pleasure I inform you that not a single native Creole, and but one American, of those settled there before we received the place, took any part with him. His partisans were the new emigrants from the United States and elsewhere, fugitives from justice or debt, and adventurers and speculators of all descriptions.

I inclose you a proclamation, which will shew you the critical footing on which we stand, at present, with England. Never since the battle of Lexington, have I seen this country in such a state of exasperation as at present. And even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, although they will return to their old trade of condemning every step we take towards obtaining it. 'Reparation for the past, and security for the future,' is our motto. Whether these will be yielded freely, or will require resort to non-intercourse, or to war, is yet to be seen. We have actually near two thousand men in the field, covering the exposed parts of the coast, aud cutting off supplies from the British vessels.

I am afraid I have been very unsuccessful in my endeavours to serve Madame de Tessé in her taste for planting. A box of seeds, &c. which I sent her in the close of 1805, was carried with the vessel into England, and discharged so late that I fear she lost their benefit for that season. Another box, which I prepared in the autumn of 1806, has, I fear, been equally delayed from other accidents. However, I will persevere in my endeavours.

Present me respectfully to her, M. de Tessé, Madame de la Fayette and your family, and accept my affectionate salutations, and assurances of constant esteem and respect.

TH. JEFFERSON.

TO JOHN PAGE.

Washington, July 17, 1807.

MY DEAR FRIEND,

Yours of the 11th is received. In appointments to public offices of mere profit, I have ever considered faithful service in either our first or second revolution as giving preference of claim, and that appointments on that principle would gratify the public, and strengthen that confidence so necessary to enable the executive to direct the whole public force to the best advantage of the nation. Of Mr. Boling Robertson's talents and integrity I have long been apprised, and would gladly use them where talents and integrity are wanting. I had thought of him for the vacant place of secretary of the Orleans territory, but supposing the salary of two thousand dollars not more than he makes by his profession, and while remaining with his friends, I have, in despair, not proposed it to him. If he would accept it, I should name him instantly with the greatest satisfaction. Perhaps you could inform me on this point.

With respect to Major Gibbons, I do indeed recollect, that, in some casual conversation, it was said, that the most conspicuous accomplices of Burr were at home at his house; but it made so little impression on me, that neither the occasion nor the person is now recollected. On this subject, I have often expressed the principles on which I act, with a wish they might be understood by the federalists in office. I have never removed a man merely because he was a federalist: I have never wished them to give a vote at an election, but according to their own wishes. But as no government could discharge its duties to the best advantage of its citizens, if its agents were in a regular course of thwarting instead of executing all its measures, and were employing the patronage and influence of their offices against the government and its measures, I have only requested they would be quiet, and they should be safe: that if their conscience urges them to take an active and zealous part in opposition, it ought also to urge them to retire from a post which they could not conscientiously conduct with fidelity to the trust reposed in them; and on failure to retire, I have removed them; that is to say, those who maintained an active and zealous opposition to the government. Nothing which I have yet heard of Major Gibbons places him in danger from these principles.

I am much pleased with the ardour displayed by our countrymen on the late British outrage. It gives us the more confidence of support in the demand of *reparation* for the past, and *security* for the future, that is to say, an end of impressments. If motives of either justice or interest should produce this from Great Britain, it will save a war: but if they are refused, we shall have gained time for getting in our ships and property, and at least twenty thousand seamen now afloat on the ocean, and who may man two hundred and fifty privateers. The loss of these to us would be worth to Great Britain many victories of the Nile and Trafalgar. The mean time may also be importantly employed in preparations to enable us to give quick and deep blows.

Present to Mrs. Page, and receive yourself, my affectionate and respectful salutations.

TH. JEFFERSON.

TO WILLIAM DUANE.

Washington, July 20, 1807.

SIR,

Although I cannot always acknowledge the receipt of communications, yet I merit their continuance by making all the use of them of which they are susceptible. Some of your suggestions had occurred, and others will be considered. The time is coming when our friends must enable us to hear every thing, and expect us to say nothing; when we shall need all their confidence that every thing is doing which can be done, and when our greatest praise shall be, that we *appear* to be doing nothing. The law for detaching one hundred thousand militia, and the appropriation for it, and that for fortifications, enable us to do every thing for land service, as well as if Congress were here; and as to naval matters, their opinion is known. The course we have pursued, has gained for our merchants a precious interval to call in their property and our seamen, and the postponing the summons of Congress will aid in avoiding to give too quick an alarm to the adversary. They will be called, however, in good time. Although we demand of England what is merely of right, reparation for the past, security for the future, yet as their pride will possibly, nay, probably, prevent their yielding them to the extent we shall require, my opinion is, that the public mind, which I believe is made up for war, should maintain itself at that point. They have often enough, God knows, given us cause of war before; but it has been on points which would not have united the nation. But now they have touched a chord which vibrates in every heart. Now then is the time to settle the old and the new.

I have often wished for an occasion of saying a word to you on the subject of the Emperor of Russia, of whose character and value to us, I suspect you are not apprised correctly. A more virtuous man, I believe, does not exist, nor one who is more enthusiastically devoted to better the condition of mankind. He will probably, one day, fall a victim to it, as a monarch of that principle does not suit a Russian noblesse. He is not of the very first order of understanding, but he is of a high one. He has taken a peculiar affection to this country and its government, of which he has given me public as well as personal proofs. Our nation being, like his, habitually neutral, our interests, as to neutral rights, and our sentiments agree; and whenever conferences for peace shall take place, we are assured of a friend in him. In fact, although in questions of restitution he will be with England, in those of neutral rights he will be with Buonaparte and every other power in the world, except England: and I do presume that England will never have peace until she subscribes to a just code of marine law. I have gone into this subject, because I am confident that Russia (while her present monarch lives) is the most cordially friendly to us of any power on earth, will go furthest to serve us, and is most worthy of conciliation. And although the source of this information must be a matter of confidence with you, yet it is desirable that the sentiments should become those of the nation. I salute you with esteem and respect.

TH. JEFFERSON.

TO GEORGE HAY.

Monticello, August 20, 1807.

DEAR SIR,

I received yesterday your favour of the 11th. An error of the post office had occasioned the delay. Before an impartial jury Burr's conduct would convict himself, were not one word of testimony to be offered against him. But to what a state will our law be reduced by party feelings in those who administer it? Why do not Blannerhasset, Dayton, &c. demand private and comfortable lodgings? In a country where an equal application of law to every condition of man is fundamental, how could it be denied to them? How can it ever be denied to the most degraded malefactor? The inclosed letter of James Morrison, covering a copy of one from Alston to Blannerhasset, came to hand yesterday. I inclose them, because it is proper all these papers should be in one deposit, and because you should know the case and all its bearings, that you may understand whatever turns up in the cause. Whether the opinion of the letter writer is sound, may be doubted. For however these, and other circumstances which have come to us, may induce us to believe that the bouncing letter he published, and the insolent one he wrote to me, were intended as blinds, yet they are not sufficient for legal conviction. Blannerhasset and his wife could possibly tell us enough. I commiserate the sufferings you have to go through in such a season, and salute you with geat esteem and respect.

TH. JEFFERSON.

TO GEORGE HAY.

Monticello, September 4, 1807.

DEAR SIR,

Yours of the 1st came to hand yesterday. The event has been * * * * * * * * *; that is to say, not only to clear Burr, but to prevent the evidence from ever going before the world. But this latter case must not take place. It is now, therefore, more than ever indispensable, that not a single witness be paid or permitted to depart until his testimony has been committed to writing, either as delivered in court, or as taken by yourself in the presence of any of Burr's counsel, who may choose to attend to cross examine. These whole proceedings will be laid before Congress, that they may decide, whether the defect has been in the evidence of guilt, or in the law, or in the application of the law, and that they may provide the proper remedy for the past and the future. I must pray you also to have an authentic copy of the record made out (without saying for what), and to send it to me: if the Judge's opinions make not a part of it, then I must ask a copy of them, either under his hand, if he delivers one signed, or duly proved by affidavit.

This criminal is preserved to become the rallying point of all the disaffected and the worthless of the United States, and to be the pivot on which all the intrigues and the conspiracies which foreign governments may wish to disturb us with, are to turn. If he is convicted of the misdemeanour, the judge must in decency give us respite by some short confinement of him; but we must expect it to be very short. Be assured yourself, and communicate the same assurance to your colleagues, that your and their zeal and abilities have been displayed in this affair to my entire satisfaction and your own honour.

I salute you with great esteem and respect.

TH. JEFFERSON.

TO GEORGE HAY.

Monticello, September 7, 1807.

DEAR SIR,

I received, late last night, your favour of the day before, and now re-inclose you the subpœna. As I do not believe that the district courts have a power of *commanding* the executive government to abandon superior duties and attend on them, at whatever distance, I am unwilling, by any notice of the subpœna, to set a precedent which might sanction a proceeding so preposterous. I inclose you, therefore, a letter, public and for the court, covering substantially all they ought to desire. If the papers which were inclosed in Wilkinson's letter may, in your judgment, be communicated without injury, you will be pleased to communicate them. I return you the original letter.

I am happy in having the benefit of Mr. Madison's counsel on this occasion, he happening to be now with me. We are both strongly of opinion, that the prosecution against Burr for misdemeanour should proceed at Richmond. If defeated, it will heap coals of fire on the head of the Judge: if successful, it will give time to see whether a prosecution for treason against him can be instituted in any, and what other court. But we incline to think, it may be best to send Blannerhasset and Smith (Israel) to Kentucky, to be tried both for the treason and misdemeanour. The trial of Da[illegible] for misdemeanour may as well go on at Richmond.

I salute you with great esteem and respect.

TH. JEFFERSON.

TO THE REV. MR. MILLAR.

Washington, January 23, 1808.

SIR,

I have duly received your favour of the 18th, and am thankful to you for having written it, because it is more agreeable to prevent than to refuse what I do not think myself authorized to comply with. I consider the government of the United States as interdicted by the constitution from intermeddling with religious institutions, their doctrines, discipline, or exercises. This results not only from the provision that no law shall be made respecting the establishment, or free exercise of religion, but from that also which reserves to the States the powers not delegated to the United States. Certainly, no power to prescribe any religious exercise, or to assume authority in religious discipline, has been delegated to the General Government. It must then rest with the States, as far as it can be in any human authority. But it is only proposed that I should *recommend*, not prescribe, a day of fasting and prayer; that is, that I should *indirectly* assume to the United States an authority over religious exercises, which the constitution has directly precluded them from. It must be meant, too, that this recommendation is to carry some authority, and to be sanctioned by some penalty on those who disregard it; not indeed of fine and imprisonment, but of some degree of proscription, perhaps in public opinion. And does the change in the nature of the penalty make the recommendation the less a *law* of conduct for those to whom it is directed? I do not believe it is for the interest of religion to invite the civil magistrate to direct its exercises, its discipline, or its doctrines; nor of the religious societies, that the General Government should be invested with the power of effecting any uniformity of time or matter among them. Fasting and prayer are religious exercises; the enjoining them an act of discipline. Every religious society has a right to determine for itself the times for these exercises, and the objects proper for them, according to their own particular tenets; and this right can never be safer than in their own hands, where the constitution has deposited it.

I am aware that the practice of my predecessors may be quoted. But I have ever believed, that the example of State executives led to the assumption of that authority by the General Government, without due examination, which would have discovered that what might be a right in a State government, was a violation of that right when assumed by another. Be this as it may, every one must act according to the dictates of his own reason, and mine tells me that civil powers alone have been given to the President of the United States, and no authority to direct the religious exercises of his constituents.

I again express my satisfaction that you have been so good as to give me an opportunity of explaining myself in a private letter, in which I could give my reasons more in detail than might have been done in a public answer: and I pray you to accept the assurances of my high esteem and respect.

TH. JEFFERSON.

TO COLONEL MONROE.

Washington, February 18, 1808.

MY DEAR SIR,

You informed me that the instruments you had been so kind as to bring for me from England, would arrive at Richmond with your baggage, and you wished to know what was to be done with them there. I will ask the favour of you to deliver them to Mr. Jefferson, who will forward them to Monticello in the way I shall advise him. And I must intreat you to send me either a note of their amount, or the bills, that I may be enabled to reimburse you. There can be no pecuniary matter between us, against which this can be any set-off. But if, contrary to my recollection or knowledge, there were any thing, I pray that that may be left to be settled by itself. If I could have known the amount beforehand, I should have remitted it, and asked the advance only under the idea that it should be the same as ready money to you on your arrival. I must again, therefore, beseech you to let me know its amount.

I see with infinite grief a contest arising between yourself and another, who have been very dear to each other, and equally so to me. I sincerely pray that these dispositions may not be affected between you; with me I confidently trust they will not. For, independently of the dictates of public duty, which prescribes neutrality to me, my sincere friendship for you both will insure its sacred observance. I suffer no one to converse with me on the subject. I already perceive my old friend Clinton estranging himself from me. No doubt lies are carried to him, as they will be to the other two candidates, under forms which, however false, he can scarcely question. Yet I have been equally careful as to him also, never to say a word on his subject. The object of the contest is a fair and honourable one, equally open to you all; and I have no doubt the personal conduct of all will be so chaste, as to offer no ground of dissatisfaction with each other. But your friends will not be as delicate. I know too well from experience the progress of political controversy, and the exacerbation of spirit into which it degenerates, not to fear for the continuance of your mutual esteem. One piquing thing said, draws on another, that a third, and always with increasing acrimony, until all restraint is thrown off, and it becomes difficult for yourselves to keep clear of the toils in which your friends will endeavour to interlace you, and to avoid the participation in their passions which they will endeavour to produce. A candid recollection of what you know of each other will be the true corrective. With respect to myself, I hope they will spare me. My longings for retirement are so strong, that I with difficulty encounter the daily drudgeries of my duty. But my wish for retirement itself is not stronger than that of carrying into it the affections of all my friends. I have ever viewed Mr. Madison and yourself, as two principal pillars of my happiness. Were either to be withdrawn, I should consider it as among the greatest calamities which could assail my future peace of mind. I have great confidence that the candour and high understanding of both will guard me against this misfortune, the bare possibility of which has so far weighed on my mind, that I could not be easy without unburthening it.

Accept my respectful salutations for yourself and Mrs. Monroe, and be assured of my constant and sincere friendship.

TH. JEFFERSON.

TO COLONEL MONROE.

Washington, March 10, 1808.

DEAR SIR,

* * * * * *

From your letter of the 27th ultimo, I perceive that painful impressions have been made on your mind during your late mission, of which I had never entertained a suspicion. I must, therefore, examine the grounds, because explanations between reasonable men can never but do good. 1. You consider the mission of Mr. Pinckney as an associate, to have been in some way injurious to you. Were I to take that measure on myself, I might say in its justification, that it has been the regular and habitual practice of the United States to do this, under every form in which their government has existed. I need not recapitulate the multiplied instances, because you will readily recollect them. I went as an adjunct to Dr. Franklin and Mr. Adams, yourself as an adjunct first to Mr. Livingston, and then to Mr. Pinckney, and I really believe there has scarcely been a great occasion which has not produced an extraordinary mission. Still, however, it is well known, that I was strongly opposed to it in the case of which you complain. A committee of the Senate called on me with two resolutions of that body, on the subject of impressment and spoliations by Great Britain, and requesting that I would demand satisfaction. After delivering the resolutions, the committee entered into free conversation, and observed, that although the Senate could not, in form, recommend any extraordinary mission, yet that, as individuals, there was but one sentiment among them on the measure, and they pressed it. I was so much averse to it, and gave them so hard an answer, that they felt it, and spoke of it. But it did not end here. The members of the other House took up the subject, and set upon me individually, and these the best friends to you, as well as myself, and represented the responsibility which a failure to obtain redress would throw on us both, pursuing a conduct in opposition to the opinion of nearly every member of the legislature. I found it necessary, at length, to yield my own opinion to the general sense of the national council, and it really seemed to produce a jubilee among them; not from any want of confidence in you, but from a belief in the effect which an extraordinary mission would have on the

British mind, by demonstrating the degree of importance which this country attached to the rights which we considered as infracted.

2. You complain of the manner in which the treaty was received. But what was that manner? I cannot suppose you to have given a moment's credit to the stuff which was crowded in all sorts of forms into the public papers, or to the thousand speeches they put into my mouth, not a word of which I had ever uttered. I was not insensible at the time of the views to mischief with which these lies were fabricated. But my confidence was firm, that neither yourself nor the British government, equally outraged by them, would believe me capable of making the editors of newspapers the confidants of my speeches or opinions. The fact was this. The treaty was communicated to us by Mr. Erskine, on the day Congress was to rise. Two of the Senators inquired of me in the evening, whether it was my purpose to detain them on account of the treaty. My answer was, 'that it was not: that the treaty containing no provision against the impressment of our seamen, and being accompanied by a kind of protestation of the British ministers, which would leave that government free to consider it as a treaty or no treaty, according to their own convenience, I should not give them the trouble of deliberating on it.' This was substantially, and almost verbally, what I said whenever spoken to about it, and I never failed, when the occasion would admit of it, to justify yourself and Mr. Pinckney, by expressing my conviction, that it was all that could be obtained from the British government; that you had told their commissioners that your government could not be pledged to ratify, because it was contrary to their instructions; of course that it should be considered but as a project, and in this light I stated it publicly in my message to Congress on the opening of the session. Not a single article of the treaty was ever made known beyond the members of the administration, nor would an article of it be known at this day, but for its publication in the newspapers, as communicated by somebody from beyond the water, as we have always understood. But as to myself, I can solemnly protest, as the most sacred of truths, that I never, one instant, lost sight of your reputation and favourable standing with your country, and never omitted to justify your failure to attain our wish, as one which was probably unattainable. Reviewing, therefore, this whole subject, I cannot doubt you will become sensible, that your impressions have been without just ground. I cannot, indeed, judge what falsehoods may have been written or told you;

and that, under such forms as to command belief. But you will soon find, my dear Sir, that so inveterate is the rancour of party spirit among us, that nothing ought to be credited but what we hear with our own ears. If you are less on your guard than we are here, at this moment, the designs of the mischief-makers will not fail to be accomplished, and brethren and friends will be made strangers and enemies to each other, without ever having said or thought a thing amiss of each other. I presume that the most insidious falsehoods are daily carried to you, as they are brought to me, to engage us in the passions of our informers, and stated so positively and plausibly as to make even *doubt* a rudeness to the narrator; who, imposed on himself, has no other than the friendly view of putting us on our guard. My answer is, invariably, that my knowledge of your character is better testimony to me of a negative, than any affirmative which my informant did not hear *from yourself* with his own ears. In fact, when you shall have been a little longer among us, you will find that little is to be believed which interests the prevailing passions, and happens beyond the limits of our own senses. Let us not then, my dear friend, embark our happiness and our affections on the ocean of slander, of falsehood, and of malice, on which our credulous friends are floating. If you have been made to believe that I ever did, said, or thought a thing unfriendly to your fame and feelings, you do me injury as causeless as it is afflicting to me. In the present contest in which you are concerned, I feel no passion, I take no part, I express no sentiment. Whichever of my friends is called to the supreme cares of the nation, I know that they will be wisely and faithfully administered, and as far as my individual conduct can influence, they shall be cordially supported. For myself I have nothing further to ask of the world, than to preserve in retirement so much of their esteem as I may have fairly earned, and to be permitted to pass in tranquillity, in the bosom of my family and friends, the days which yet remain for me. Having reached the harbour myself, I shall view with anxiety (but certainly not with a wish to be in their place) those who are still buffeting the storm, uncertain of their fate. Your voyage has so far been favourable, and that it may continue with entire prosperity, is the sincere prayer of that friendship which I have ever borne you, and of which I now assure you, with the tender of my high respect and affectionate salutations.

TH. JEFFERSON.

TO RICHARD M. JOHNSON.

Washington, March 10, 1808.

SIR,

I am sure you can too justly estimate my occupations, to need an apology for this tardy acknowledgment of your favour of February the 27th. I cannot but be deeply sensible of the good opinion you are pleased to express of my conduct in the administration of our government. This approbation of my fellow citizens is the richest reward I can receive. I am conscious of having always intended to do what was best for them: and never, for a single moment, to have listened to any personal interest of my own. It has been a source of great pain to me, to have met with so many among our opponents, who had not the liberality to distinguish between political and social opposition; who transferred at once to the person, the hatred they bore to his political opinions. I suppose, indeed, that in public life, a man whose political principles have any decided character, and who has energy enough to give them effect, must always expect to encounter political hostility from those of adverse principles. But I came to the government under circumstances calculated to generate peculiar acrimony. I found all its offices in the possession of a political sect, who wished to transform it ultimately into the shape of their darling model, the English government; and in the mean time, to familiarise the public mind to the change, by administering it on English principles, and in English forms. The elective interposition of the people had blown all their designs, and they found themselves and their fortresses of power and profit put in a moment into the hands of other trustees. Lamentations and invective were all that remained to them. This last was naturally directed against the agent selected to execute the multiplied reformations, which their heresies had rendered necessary. I became of course the butt of every thing which reason, ridicule, malice, and falsehood could supply. They have concentrated all their hatred on me, till they have really persuaded themselves that I am the sole source of all their imaginary evils. I hope, therefore, that my retirement will abate some of their disaffection to the government of their country, and that my successor will enter on a calmer sea than I did. He will at least find the vessel of state in the hands of his friends, and not of his foes. Federalism is dead, without even the hope of a day of resurrection. The quondam leaders, indeed, retain their rancour and principles; but their followers are amalgamated with us in sentiment, if not in name. If our fellow citizens, now solidly republican, will sacrifice favouritism towards men, for the preservation of principle, we may hope that no divisions will again endanger a degeneracy in our government.

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I pray you to accept my salutations, and assurances of great esteem and respect.

TH. JEFFERSON.

TO LEVI LINCOLN.

Washington, March 23, 1808.

DEAR SIR,

Your letter on the subject of Mr. Lee, came safely to hand. You know our principles render federalists in office safe, if they do not employ their influence in opposing the government, but only give their own vote according to their conscience. And this principle we act on, as well with those put in office by others, as by ourselves.

We have received from your presses a very malevolent and incendiary denunciation of the administration, bottomed on absolute falsehood from beginning to end. The author would merit exemplary punishment for so flagitious a libel, were not the torment of his own abominable temper punishment sufficient for even as base a crime as this. The termination of Mr. Rose's mission, *re infecta*, put it in my power to communicate to Congress yesterday, every thing respecting our relations with England and France, which will effectually put down Mr. Pickering, and his worthy coadjutor Quincy. Their tempers are so much alike, and really their persons, as to induce a supposition that they are related. The embargo appears to be approved, even by the federalists of every quarter except yours. The alternative was between that and war, and, in fact, it is the last card we have to play, short of war. But if peace does not take place in Europe, and if France and England will not consent to withdraw the operation of their decrees and orders from us, when Congress shall meet in December, they will have to consider at what point of time the embargo, continued, becomes a greater evil than war. I am inclined to believe, we shall have this summer and autumn to prepare for the defence of our sea port towns, and hope that in that time, the works of defence will be completed, which have been provided for by the legislature. I think Congress will rise within three weeks.

I salute you with great affection and respect.

TH. JEFFERSON.

TO CHARLES PINCKNEY.

Washington, March 30, 1808.

DEAR SIR,

Your letter of the 8th was received on the 25th, and I proceed to state to you my views of the present state and prospect of foreign affairs, under the confidence that you will use them for your own government and opinions only, and by no means let them get out as from me. With France we are in no *immediate* danger of war. Her future views it is impossible to estimate. The immediate danger we are in of a rupture with England is postponed for this year. This is effected by the embargo, as the question was simply between that and war. That may go on a certain time, perhaps through the year, without the loss of their property to our citizens, but only its remaining unemployed on their hands. A time would come, however, when war would be preferable to a continuance of the embargo. Of this Congress may have to decide at their next meeting. In the mean time, we have good information, that a negotiation for peace between France and England is commencing through the medium of Austria. The way for it has been smoothed by a determination expressed by France (through the Moniteur, which is their government paper) that herself and her allies will demand from Great Britain no renunciation of her maritime principles; nor will they renounce theirs. Nothing shall be said about them in the treaty, and both sides will be left in the next war to act on their own. No doubt the meaning of this is, that all the *Continental* powers of Europe will form themselves into an armed neutrality, to enforce their own principles. Should peace be made, we shall have safely rode out the storm in peace and prosperity. If we have any thing to fear, it will be after that. Nothing should be spared from this moment in putting our militia into the best condition possible, and procuring arms. I hope that, this summer, we shall get our whole sea-ports put into that state of defence, which Congress has thought proportioned to our circumstances and situation;

that is to say, put *hors d'insulte* from a maritime attack, by a moderate squadron. If armies are combined with their fleets, then no resource can be provided, but to meet them in the field. We propose to raise seven regiments only for the present year, depending always on our militia for the operations of the first year of war. On any other plan we should be obliged always to keep a large standing army. Congress will adjourn in about three weeks. I hope Captain McComb is going on well with your defensive works. We shall be able by midsummer to give you a sufficient number of gunboats to protect Charleston from any vessels which can cross the bar: but the militia of the place must be depended on to fill up the complement of men necessary for action in the moment of an attack, as we shall man them, in ordinary, but with their navigating crew of eight or ten good seamen.

I salute you with great esteem and respect.

Th. Jefferson.

TO DOCTOR LEIB.

Washington, June 23, 1808.

Sir,

I have duly received your favour covering a copy of the talk to the Tammany society, for which I thank you, and particularly for the favourable sentiments expressed towards myself. Certainly, nothing will so much sweeten the tranquillity and comfort of retirement, as the knowledge that I carry with me the good will and approbation of my republican fellow citizens, and especially of the individuals in unison with whom I have so long acted. With respect to the federalists, I believe we think alike; for when speaking of them, we never mean to include a worthy portion of our fellow citizens, who consider themselves as in duty bound to support the constituted authorities of every branch, and to reserve their opposition to the period of election. These having acquired the appellation of federalists, while a federal administration was in place, have not cared about throwing off their name, but, adhering to their principle, are the supporters of the present order of things. The other branch of the federalists, those who are so in principle as well as in name, disapprove of the republican principles and features of our constitution, and would, I believe, welcome any public calamity (war with

England excepted) which might lessen the confidence of our country in those principles and forms. I have generally considered them rather as subjects for a madhouse. But they are now playing a game of the most mischievous tendency, without, perhaps, being themselves aware of it. They are endeavouring to convince England that we suffer more by the embargo than they do, and that if they will but hold out awhile, we must abandon it. It is true the time will come when we must abandon it. But if this is before the repeal of the orders of council, we must abandon it only for a state of war. The day is not distant, when that will be preferable to a longer continuance of the embargo. But we can never remove that, and let our vessels go out and be taken under these orders, without making reprisal. Yet this is the very state of things which these federal monarchists are endeavouring to bring about; and in this it is but too possible they may succeed. But the fact is, that if we have war with England, it will be solely produced by their manœuvres. I think that in two or three months we shall know what will be the issue.

I salute you with esteem and respect.

Th. Jefferson.

TO ROBERT L. LIVINGSTON.

Washington, October 15, 1808.

Sir,

Your letter of September the 22nd waited here for my return, and it is not till now that I have been able to acknowledge it. The explanation of his principles given you by the French Emperor, in conversation, is correct as far as it goes. He does not wish us to go to war with England, knowing we have no ships to carry on that war. To submit to pay to England the tribute on our commerce which she demands by her orders of council, would be to aid her in the war against him, and would give him just ground to declare war with us. He concludes, therefore, as every rational man must, that the embargo, the only remaining alternative, was a wise measure. These are acknowledged principles, and should circumstances arise which may offer advantage to our country in making them public, we shall avail ourselves of them. But as it is not usual nor agreeable to governments to bring their conversations before the public, I think it would be well to consider this on your part as confidential, leaving to the government to retain or make it public, as the general good may require. Had the Emperor gone further, and said that he condemned our vessels going voluntarily into his ports in breach of his municipal laws, we might have admitted it rigorously legal, though not friendly. But his condemnation of vessels taken on the high seas by his privateers, and carried involuntarily into his ports, is justifiable by no law, is piracy, and this is the wrong we complain of against him.

Supposing that you may be still at Clermont, from whence your letter is dated, I avail myself of this circumstance to request your presenting my friendly respects to Chancellor Livingston.

I salute you with esteem and respect.

Th. Jefferson.

TO DOCTOR JAMES BROWN.

Washington, October 27, 1808.

Dear Sir,

You will wonder that your letter of June the 3rd should not be acknowledged till this date. I never received it till September the 12th, and coming soon after to this place, the accumulation of business I found here has prevented my taking it up till now. That you ever participated in any plan for a division of the Union, I never for one moment believed. I knew your Americanism too well. But as the enterprise against Mexico was of a very different character, I had supposed what I heard on that subject to be possible. You disavow it; that is enough for me, and I forever dismiss the idea. I wish it were possible to extend my belief of innocence to a very different description of men in New Orleans; but I think there is sufficient evidence of there being there a set of foreign adventurers, and native malcontents, who would concur in any enterprise to separate that country from this. I did wish to see these people get what they deserved; and under the maxim of the law itself, that *inter arma silent leges*, that in an encampment expecting daily attack from a powerful enemy, self-preservation is paramount to all law, I expected that instead of invoking the forms of the law to cover traitors, all good citizens would have concurred in securing them. Should we have ever gained our Revolution, if we had bound our hands by manacles of the law, not only in the beginning, but in any part of the revolutionary conflict? There are extreme cases where the laws become inadequate even to their own preservation, and where the universal resource is a dictator, or martial law. Was New Orleans in that situation? Although we knew here that the force destined against it was suppressed on the Ohio, yet we supposed this unknown at New Orleans at the time that Burr's accomplices were calling in the aid of the law to enable them to perpetrate its suppression, and that it was reasonable, according to the state of information there, to act on the expectation of a daily attack. Of this you are the best judge.

Burr is in London, and is giving out to his friends that that government offers him two millions of dollars the moment he can raise an ensign of rebellion as big as an handkerchief. Some of his partisans will believe this, because they wish it. But those who know him best will not believe it the more because he says it. For myself, even in the most flattering periods of his conspiracy, I never entertained one moment's fear. My long and intimate knowledge of my countrymen, satisfied and satisfies me, that let there ever be occasion to display the banners of the law, and the world will see how few and pitiful are those who shall array themselves in opposition. I as little fear foreign invasion. I have indeed thought it a duty to be prepared to meet even the most powerful, that of a Buonaparte, for instance, by the only means competent, that of a classification of the militia, and placing the junior classes at the public disposal: but the lesson he receives in Spain extirpates all apprehensions from my mind. If, in a peninsula, the neck of which is adjacent to him and at his command, where he can march any army without the possibility of interception or obstruction from any foreign power, he finds it necessary to begin with an army of three hundred thousand men, to subdue a nation of five millions, brutalised by ignorance, and enervated by long peace, and should find constant reinforcements of thousands after thousands, necessary to effect at last a conquest as doubtful as deprecated, what numbers would be necessary against eight millions of free Americans, spread over such an extent of country as would wear him down by mere marching, by want of food, autumnal diseases, &c.? How would they be brought, and how reinforced, across an ocean of three thousand miles, in possession of a bitter enemy, whose peace, like the repose of a dog, is never more than momentary? And for what? For nothing but hard lows. If the Orleanese Creoles would but contemplate these ruths, they would cling to the American Union, soul and ody, as their first affection, and we should be as safe there as e are every where else. I have no doubt of their attachment o us in preference of the English.

I salute you with sincere friendship and respect.

TH. JEFFERSON.

TO LIEUTENANT GOVERNOR LINCOLN.

Washington, November 13, 1808.

DEAR SIR,

I inclose you a petition from Nantucket, and refer it for our decision. Our opinion here is, that that place has been o deeply concerned in smuggling, that if it wants, it is because has illegally sent away what it ought to have retained for its wn consumption. Be so good as to bear in mind that I have sked the favour of you to see that your State encounters no eal want, while, at the same time, where applications are made erely to cover fraud, no facilities towards that be furnished. presume there can be no want in Massachusetts, as yet, as I m informed that Governor Sullivan's permits are openly ought and sold here and in Alexandria, and at other markets. he Congressional campaign is just opening: three alterna- ves alone are to be chosen from. 1. Embargo. 2. War. . Submission and tribute. And, wonderful to tell, the last ill not want advocates. The real question, however, will lie etween the two first, on which there is considerable division. s yet the first seems most to prevail; but opinions are by no eans yet settled down. Perhaps the advocates of the second ay, to a formal declaration of war, prefer *general* letters of ark and reprisal, because, on a repeal of their edicts by the elligerent, a revocation of the letters of mark restores peace ithout the delay, difficulties, and ceremonies of a treaty. On is occasion, I think it fair to leave to those who are to act on em, the decisions they prefer, being to be myself but a specta- r. I should not feel justified in directing measures which ose who are to execute them would disapprove. Our situa- on is truly difficult. We have been pressed by the belli- erents to the very wall, and all further retreat is imprac- cable.

I salute you with sincere friendship.

TH. JEFFERSON.

TO THOMAS JEFFERSON RANDOLPH.

Washington, November 24, 1808.

My Dear Jefferson,

* * * * * *

Your situation, thrown at such a distance from us and alone, cannot but give us all great anxieties for you. As much has been secured for you, by your particular position and the acquaintance to which you have been recommended, as could be done towards shielding you from the dangers which surround you. But thrown on a wide world, among entire strangers, without a friend or guardian to advise, so young too, and with so little experience of mankind, your dangers are great, and still your safety must rest on yourself. A determination never to do what is wrong, prudence and good humour, will go far towards securing to you the estimation of the world. When I recollect that at fourteen years of age, the whole care and direction of myself was thrown on myself entirely, without a relation or friend qualified to advise or guide me, and recollect the various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, and become as worthless to society as they were. I had the good fortune to become acquainted very early with some characters of very high standing, and to feel the incessant wish that I could ever become what they were. Under temptations and difficulties, I would ask myself what would Dr. Small, Mr. Wythe, Peyton Randolph do in this situation? What course in it will insure me their approbation? I am certain that this mode of deciding on my conduct, tended more to its correctness than any reasoning powers I possessed. Knowing the even and dignified line they pursued, I could never doubt for a moment which of two courses would be in character for them. Whereas, seeking the same object through a process of moral reasoning, and with the jaundiced eye of youth, I should often have erred. From the circumstances of my position, I was often thrown into the society of horse racers, card players, fox hunters, scientific and professional men, and of dignified men; and many a time have I asked myself, in the enthusiastic moment of the death of a fox, the victory of a favourite horse, the issue of a question eloquently argued at the bar, or in the great council of the nation, well, which of these kinds of reputation should I prefer? That of a horse jockey? a fox hunter? an orator? or the honest advocate of my country's rights? Be assured, my dear Jefferson, that these little returns into ourselves, this self catechising habit, is not trifling, nor useless, but leads to the prudent selection and steady pursuit of what is right.

I have mentioned good humour as one of the preservatives of our peace and tranquillity. It is among the most effectual, and its effect is so well imitated and aided, artificially, by politeness, that this also becomes an acquisition of first rate value. In truth, politeness is artificial good humour; it covers the natural want of it, and ends by rendering habitual a substitute nearly equivalent to the real virtue. It is the practice of sacrificing to those whom we meet in society, all the little conveniences and preferences which will gratify them, and deprive us of nothing worth a moment's consideration; it is the giving a pleasing and flattering turn to our expressions, which will conciliate others, and make them pleased with us as well as themselves. How cheap a price for the good will of another! When this is in return for a rude thing said by another, it brings him to his senses, it mortifies and corrects him in the most salutary way, and places him at the feet of your good nature, in the eyes of the company. But in stating prudential rules for our government in society, I must not omit the important one, of never entering into dispute or argument with another. I never yet saw an instance of one of two disputants convincing the other by argument. I have seen many, of their getting warm, becoming rude, and shooting one another. Conviction is the effect of our own dispassionate reasoning, either in solitude, or weighing within ourselves, dispassionately, what we hear from others, standing uncommitted in argument ourselves. It was one of the rules, which, above all others, made Doctor Franklin the most amiable of men in society, 'never to contradict any body.' If he was urged to announce an opinion, he did it rather by asking questions, as if for information, or by suggesting doubts. When I hear another express an opinion which is not mine, I say to myself, he has a right to his opinion, as I to mine; why should I question it? His error does me no injury, and shall I become a Don Quixote, to bring all men by force of argument to one opinion? If a fact be misstated, it is probable he is gratified by a belief of it, and I have no right to deprive him of the gratification. If he wants information, he will ask it, and then I will give it in measured terms; but if he still believes his own story, and shews a desire to dispute the fact with me, I hear him and say nothing. It is his affair, not mine, if he prefers error. There are two classes of disputants most frequently to be met with among us. The first is of young students, just entered the threshold of science, with a first view of its outlines, not yet filled up with the details and modifications which a further progress would bring to their knowledge. The other consists of the ill-tempered and rude men in society, who have taken up a passion for politics. (Good humour and politeness never introduce into mixed society, a question on which they foresee there will be a difference of opinion.) From both of those classes of disputants, my dear Jefferson, keep aloof, as you would from the infected subjects of yellow fever or pestilence. Consider yourself, when with them, as among the patients of Bedlam, needing medical more than moral counsel. Be a listener only, keep within yourself, and endeavour to establish with yourself the habit of silence, especially on politics. In the fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights, either in fact or principle. They are determined as to the facts they will believe, and the opinions on which they will act. Get by them, therefore, as you would by an angry bull: it is not for a man of sense to dispute the road with such an animal. You will be more exposed than others to have these animals shaking their horns at you, because of the relation in which you stand with me. Full of political venom, and willing to see me and to hate me as a chief in the antagonist party, your presence will be to them what the vomit grass is to the sick dog, a nostrum for producing ejaculation. Look upon them exactly with that eye, and pity them as objects to whom you can administer only occasional ease. My character is not within their power. It is in the hands of my fellow citizens at large, and will be consigned to honour or infamy by the verdict of the republican mass of our country, according to what themselves will have seen, not what their enemies and mine shall have said. Never, therefore, consider these puppies in politics as requiring any notice from you, and always shew, that you are not afraid to leave my character to the umpirage of public opinion. Look steadily to the pursuits which have carried you to Philadelphia, be very select in the society you attach yourself to, avoid taverns, drinkers, smokers, idlers, and dissipated persons generally; for it is with such that broils and contentions arise; and you will find your path more easy and tranquil. The limits of my paper warn me that it is time for me to close with my affectionate adieu.

TH. JEFFERSON.

P. S. Present me affectionately to Mr. Ogilvie, and in doing the same to Mr. Peale, tell him, I am writing with his polygraph, and shall send him mine the first moment I have leisure enough to pack it.

T. J.

TO DOCTOR EUSTIS.

Washington, January 14, 1809.

SIR,

I have the pleasure to acknowledge the receipt of your letter of December the 24th, and of the resolutions of the republican citizens of Boston, of the 19th of that month. These are worthy of the antient character of the sons of Massachusetts, and of the spirit of concord with her sister States, which, and which alone, carried us successfully through the revolutionary war, and finally placed us under that national government, which constitutes the safety of every part, by uniting for its protection the powers of the whole. The moment for exerting these united powers, to repel the injuries of the belligerents of Europe, seems likely to be pressed upon us. They have interdicted our commerce with nearly the whole world. They have declared it shall be carried on with such places, in such articles, and in such measure only, as they shall dictate; thus prostrating all the principles of right, which have hitherto protected it. After exhausting the cup of forbearance and conciliation to its dregs, we found it necessary, on behalf of that commerce, to take time to call it home into a state of safety, to put the towns and harbours which carry it on into a condition of defence, and to make further preparation for enforcing the redress of its wrongs, and restoring it to its rightful freedom. This required a certain measure of time, which, although not admitting specific limitation, must, from its avowed objects, have been obvious to all: and the progress actually made towards the accomplishment of these objects, proves it now to be near its term. While thus endeavouring to secure, and preparing to vindicate that commerce, the absurd opinion has been propagated, that this temporary and necessary arrangement was to be a permanent system, and was intended for its destruction. The sentiments expressed in the paper you were so kind as to inclose me, shew that those who have concurred in them, have judged with more candour the intentions of their government, and are sufficiently aware of the tendency of the excitements and misrepresentations which have been practised on this occasion. And such, I am persuaded, will be the disposition of the citizens of Massachusetts at large, whenever truth can reach them. Associated with her sister States in a common government, the fundamental principle of which is, that the will of the majority is to prevail, sensible that, in the present difficulty, that will has been governed by no local interests or jealousies, that to save permanent rights, temporary sacrifices were necessary, that these have fallen as impartially on all, as in a situation so peculiar they could be made to do, she will see in the existing measures, a legitimate and honest exercise of the will and wisdom of the whole. And her citizens, faithful to themselves and their associates, will not, to avoid a transient pressure, yield to the seductions of enemies to their independence, foreign or domestic, and take a course equally subversive of their well-being, as of that of their brethren.

The approbation expressed by the republican citizens of the town of Boston, of the course pursued by the national government, is truly consoling to its members; and, encouraged by the declaration of the continuance of their confidence, and by the assurance of their support, they will continue to pursue the line of their high duties according to the best of their understandings, and with undeviating regard to the good of the whole. Permit me to avail myself of this occasion of tendering you personally the assurances of my great esteem and respect.

TH. JEFFERSON.

TO COLONEL MONROE.

Washington, January 28, 1809.

DEAR SIR,

Your favour of the 18th was received in due time, and the answer has been delayed as well by a pressure of business, as by the expectation of your absence from Richmond.

The idea of sending a special mission to France or England is not entertained at all here. After so little attention to us from the former, and so insulting an answer from Canning, such a mark of respect as an extraordinary mission, would be a degradation against which all minds revolt here. The idea was hazarded in the House of Representatives a few days ago, by a member, and an approbation expressed by another, but rejected indignantly by every other person who spoke, and very generally in conversation by all others: and I am satisfied such a proposition would get no vote in the Senate. The course the legislature means to pursue, may be inferred from the act now passed for a meeting in May, and a proposition before them for repealing the embargo in June, and then resuming and maintaining by force our right of navigation. There will be considerable opposition to this last proposition, not only from the federalists, old and new, who oppose every thing, but from sound members of the majority. Yet it is believed it will obtain a good majority, and that it is the only proposition which can be devised that could obtain a majority of any kind. Final propositions will, therefore, be soon despatched to both the belligerents through the resident ministers, so that their answers will be received before the meeting in May, and will decide what is to be done. This last trial for peace is not thought desperate. If, as is expected, Buonaparte should be successful in Spain, however every virtuous and liberal sentiment revolts at it, it may induce both powers to be more accommodating with us. England will see here the only asylum for her commerce and manufactures, worth more to her than her orders of council. And Buonaparte, having Spain at his feet, will look immediately to the Spanish colonies, and think our neutrality cheaply purchased by a repeal of the illegal parts of his decrees, with perhaps the Floridas thrown into the bargain. Should a change in the aspect of affairs in Europe produce this disposition in both powers, our peace and prosperity may be revived and long continue. Otherwise, we must again take the tented field, as we did in 1776 under more inauspicious circumstances.

There never has been a situation of the world before, in which such endeavours as we have made would not have secured our peace. It is probable there never will be such another. If we go to war now, I fear we may renounce forever the hope of seeing an end of our national debt. If we can keep at peace eight years longer, our income, liberated from debt, will be adequate to any war, without new taxes or loans, and our position and increasing strength will put us *hors d'insulte* from any nation. I am now so near the moment of retiring, that I take no part in affairs beyond the expression of an opinion. I think it fair, that my successor should now originate those measures of which he will be charged with the execution and responsibility, and that it is my duty to clothe them with the forms of authority. Five weeks more will relieve me from a drudgery to which I am no longer equal, and restore me to a scene of tranquillity, amidst my family and friends, more congenial to my age and natural inclinations. In that situation, it will always be a pleasure to me to see you, and to repeat to you the assurances of my constant friendship and respect.

TH. JEFFERSON.

TO THOMAS MANN RANDOLPH.

Washington, February 7, 1809.

DEAR SIR,

I thought Congress had taken their ground firmly for continuing their embargo till June, and then war. But a sudden and unaccountable revolution of opinion took place the last week, chiefly among the New England and New York members, and, in a kind of panic, they voted the 4th of March for removing the embargo, and by such a majority as gave all reason to believe they would not agree either to war or non-intercourse. This, too, was after we had become satisfied, that the Essex Junto had found their expectation desperate, of inducing the people there to either separation or forcible opposition. The majority of Congress, however, has now rallied to the removing the embargo on the 4th of March, non-intercourse with *France* and *Great Britain*, trade every where else, and continuing war preparations. The further details are not yet settled, but I believe it is perfectly certain that the embargo will be taken off the 4th of March. Present my warmest affections to my dearest Martha, and the young ones, and accept the assurances of them to yourself.

TH. JEFFERSON.

TO JOHN HOLLINS.

Washington, February 19, 1809.

DEAR SIR,

A little transaction of mine, as innocent an one as I ever entered into, and where an improper construction was never less expected, is making some noise, I observe, in your city. I beg leave to explain it to you, because I mean to ask your agency in it. The last year, the Agricultural Society of

Paris, of which I am a member, having had a plough presented to them, which, on trial with a graduated instrument, did equal work with half the force of their best ploughs, they thought it would be a benefit to mankind to communicate it. They accordingly sent one to me, with a view to its being made known here, and they sent one to the Duke of Bedford also, who is one of their members, to be made use of for England, although the two nations were then at war. By the Mentor, now going to France, I have given permission to two individuals in Delaware and New York, to import two parcels of Merino sheep from France, which they have procured there, and to some gentlemen in Boston, to import a very valuable machine which spins cotton, wool, and flax equally. The last spring, the Society informed me they were cultivating the cotton of the Levant and other parts of the Mediterranean, and wished to try also that of our southern States. I immediately got a friend to have two tierces of seed forwarded to me. They were consigned to Messrs. Falls and Brown, of Baltimore, and notice of it being given me, I immediately wrote to them to re-ship them to New York, to be sent by the Mentor. Their first object was to make a show of my letter, as something very criminal, and to carry the subject into the newspapers. I had, on a like request, some time ago, (but before the embargo) from the President of the Board of Agriculture of London, of which I am also a member, to send them some of the genuine May wheat of Virginia, forwarded to them two or three barrels of it. General Washington, in his time, received from the same Society the seed of the perennial succory, which Arthur Young had carried over from France to England, and I have since received from a member of it the seed of the famous turnip of Sweden, now so well known here. I mention these things, to shew the nature of the correspondence which is carried on between societies instituted for the benevolent purpose of communicating to all parts of the world whatever useful is discovered in any one of them. These societies are always in peace, however their nations may be at war. Like the republic of letters, they form a great fraternity spreading over the whole earth, and their correspondence is never interrupted by any civilized nation. Vaccination has been a late and remarkable instance of the liberal diffusion of a blessing newly discovered. It is really painful, it is mortifying, to be obliged to note these things, which are known to every one who knows any thing, and felt with approbation by every one who has any feeling. But we have a faction to whose hostile passions the torture even of right into wrong is a delicious gratification. Their malice I have long learned to disregard, their censure to deem praise. But I observe, that some republicans are not satisfied (even while we are receiving liberally from others), that this small return should be made. They will think more justly at another day; but in the mean time, I wish to avoid offence. My prayer to you, therefore, is, that you will be so good, under the inclosed order, as to receive these two tierces of seed from Falls and Brown, and pay them their disbursements for freight, &c. which I will immediately remit you on knowing the amount. Of the seed, when received, be so good as to make manure for your garden. When rotted with a due mixture of stable manure or earth, it is the best in the world. I rely on your friendship to excuse this trouble, it being necessary I should not commit myself again to persons of whose honour, or the want of it, I know nothing.

Accept the assurances of my constant esteem and respect.

TH. JEFFERSON.

TO M. DUPONT DE NEMOURS.

Washington, March 2, 1809.

DEAR SIR,

My last to you was of May the 2d; since which I have received yours of May the 25th, June the 1st, July the 23d, 24th, and September the 5th, and distributed the two pamphlets according to your desire. They are read with the delight which every thing from your pen gives.

After using every effort which could prevent or delay our being entangled in the war of Europe, that seems now our only resource. The edicts of the two belligerents, forbidding us to be seen on the ocean, we met by an embargo. This gave us time to call home our seamen, ships, and property, to levy men and put our sea ports into a certain state of defence. We have now taken off the embargo, except as to France and England and their territories, because fifty millions of exports, annually sacrificed, are the treble of what war would cost us; besides, that by war we should take something, and lose less than at present. But to give you a true description of the state of things here, I must refer you to Mr. Coles, the bearer of this, my secretary, a most worthy, intelligent, and well-informed young man, whom I recommend to your notice, and conversation on our affairs. His discretion and fidelity may be relied on. I expect he will find you with Spain at your feet, but England still afloat, and a barrier to the Spanish colonies. But all these concerns I am now leaving to be settled by my friend Mr. Madison. Within a few days I retire to my family, my books, and farms; and having gained the harbour myself, I shall look on my friends still buffetting the storm, with anxiety indeed, but not with envy. Never did a prisoner, released from his chains, feel such relief as I shall on shaking off the shackles of power. Nature intended me for the tranquil pursuits of science, by rendering them my supreme delight. But the enormities of the times in which I have lived, have forced me to take a part in resisting them, and to commit myself on the boisterous ocean of political passions. I thank God for the opportunity of retiring from them without censure, and carrying with me the most consoling proofs of public approbation. I leave every thing in the hands of men so able to take care of them, that if we are destined to meet misfortunes, it will be because no human wisdom could avert them. Should you return to the United States, perhaps your curiosity may lead you to visit the hermit of Monticello. He will receive you with affection and delight; hailing you in the mean time with his affectionate salutations, and assurances of constant esteem and respect.

TH. JEFFERSON.

P. S. If you return to us, bring a couple of pair of true-bred shepherd's dogs. You will add a valuable possession to a country now beginning to pay great attention to the raising sheep.

T. J.

TO THE PRESIDENT.

Monticello, March 17, 1809.

DEAR SIR,

On opening my letters from France, in the moment of my departure from Washington, I found from their signatures that they were from literary characters, except one from Mr. Short, which mentioned in the outset that it was private, and that his public communications were in the letter to the Secretary of State, which I sent you. I find, however, on reading his letter to me (which I did not do till I got home) a passage of some length, proper to be communicated to you, and which I have therefore extracted.

I had a very fatiguing journey, having found the roads excessively bad, although I have seen them worse. The last three days I found it better to be on horseback, and travelled eight hours through as disagreeable a snow storm as I was ever in. Feeling no inconvenience from the expedition but fatigue, I have more confidence in my *vis vitæ* than I had before entertained. The spring is remarkably backward. No oats sown, not much tobacco seed, and little done in the gardens. Wheat has suffered considerably. No vegetation visible yet but the red maple, weeping willow, and lilac. Flour is said to be at eight dollars at Richmond, and all produce is hurrying down.

I feel great anxiety for the occurrences of the ensuing four or five months. If peace can be preserved, I hope and trust you will have a smooth administration. I know no government which would be so embarrassing in war as ours. This would proceed very much from the lying and licentious character of our papers; but much, also, from the wonderful credulity of the members of Congress in the floating lies of the day; and in this no experience seems to correct them. I have never seen a Congress during the last eight years, a great majority of which I would not implicitly have relied on in any question, could their minds have been purged of all errors of fact. The evil, too, increases greatly with the protraction of the session, and I apprehend, in case of war, their session would have a tendency to become permanent. It is much, therefore, to be desired that war may be avoided, if circumstances will admit. Nor, in the present maniac state of Europe, should I estimate the point of honour by the ordinary scale. I believe we shall, on the contrary, have credit with the world for having made the avoidance of being engaged in the present unexampled war our first object. War, however, may become a less losing business than unresisted depredation.

With every wish that events may be propitious to your administration, I salute you with sincere affection and every sympathy of the heart.

TH. JEFFERSON.

TO THE INHABITANTS OF ALBEMARLE COUNTY, IN VIRGINIA.

Returning to the scenes of my birth and early life, to the society of those with whom I was raised, and who have been ever dear to me, I receive, fellow-citizens and neighbours, with inexpressible pleasure, the cordial welcome you are so good as to give me. Long absent on duties which the history of a wonderful era made incumbent on those called to them, the pomp, the turmoil, the bustle, and splendour of office, have drawn but deeper sighs for the tranquil and irresponsible occupations of private life, for the enjoyment of an affectionate intercourse with you, my neighbours and friends, and the endearments of family love, which nature has given us all as the sweetener of every hour. For these I gladly lay down the distressing burthen of power, and seek, with my fellow-citizens, repose and safety under the watchful cares, the labours, and perplexities of younger and abler minds. The anxieties you express to administer to my happiness, do, of themselves, confer that happiness; and the measure will be complete, if my endeavours to fulfil my duties in the several public stations to which I have been called, have obtained for me the approbation of my country. The part which I have acted on the theatre of public life, has been before them; and to their sentence I submit it: but the testimony of my native country, of the individuals who have known me in private life, to my conduct, in its various duties and relations, is the more grateful as proceeding from eye witnesses and observers, from triers of the vicinage. Of you, then, my neighbours, I may ask, in the face of the world, "Whose ox have I taken, or whom have I defrauded? Whom have I oppressed, or of whose hand have I received a bribe to blind mine eyes therewith?" On your verdict I rest with conscious security. Your wishes for my happiness are received with just sensibility, and I offer sincere prayers for your own welfare and prosperity. TH. JEFFERSON.

April 3, 1809.

TO WILSON C. NICHOLAS.

Monticello, June 13, 1809.

DEAR SIR,

I did not know till Mr. Patterson called on us, a few days ago, that you had passed on to Washington. I had recently observed in the debates of Congress, a matter introduced, on which I wished to give explanations more fully in conversation, which I will now do by abridgment in writing. Mr. Randolph has proposed an inquiry into certain prosecutions at common law in Connecticut, for libels on the government, and not only himself but others have stated them with such affected caution, and such hints at the same time, as to leave on every mind the impression that they had been instituted either by my direction, or with my acquiescence, at least. This has not been denied by my friends, because probably the fact is unknown to them. I shall state it for their satisfaction, and leave it to be disposed of as they think best.

I had observed in a newspaper (some years ago, I do not recollect the time exactly), some dark hints of a prosecution in Connecticut, but so obscurely hinted that I paid little attention to it. Some considerable time after, it was again mentioned, so that I understood that some prosecution was going on in the federal court there, for calumnies uttered from the pulpit against me by a clergyman. I immediately wrote to Mr. Granger, who, I think, was in Connecticut at the time, stating that I had laid it down as a law to myself, to take no notice of the thousand calumnies issued against me, but to trust my character to my own conduct, and the good sense and candour of my fellow citizens; that I had found no reason to be dissatisfied with that course, and I was unwilling it should be broke through by others, as to any matter concerning me; and I therefore requested him to desire the district attorney to dismiss the prosecution. Some time after this, I heard of subpœnas being served on General Lee, David M. Randolph, and others, as witnesses to attend the trial. I then for the first time conjectured the subject of the libel. I immediately wrote to Mr. Granger, to require an immediate dismission of the prosecution. The answer of Mr. Huntington, the district attorney, was, that these subpœnas had been issued by the defendant without his knowledge; that it had been his intention to dismiss all the prosecutions at the first meeting of the court, and to accompany it with an avowal of his opinion, that they could not be maintained, because the federal court had no jurisdiction over libels. This was accordingly done. I did not till then know that there were other prosecutions of the same nature, nor do I now know what were their subjects. But all went off together; and I afterwards saw in the hands of Mr. Granger, a letter written by the clergyman. disavowing any personal ill-will towards me, and solemnly declaring he had never uttered the words charged. I think Mr. Granger either shewed me, or said there were affidavits of at least half a dozen respectable men, who were present at the sermon, and swore no such expressions were uttered, and as many equally respectable who swore the contrary. But the clergyman expressed his gratification at the dismission of the prosecution. I write all this from memory, and after too long an interval of time to be certain of the exactness of all the details; but I am sure there is no variation material, and Mr. Granger, correcting small lapses of memory, can confirm every thing substantial. Certain it is, that the prosecutions had been instituted, and had made considerable progress, without my knowledge; that they were disapproved by me as soon as known, and directed to be discontinued. The attorney did it on the same ground on which I had acted myself in the cases of Duane, Callendar, and others; to wit, that the sedition law was unconstitutional and null, and that my obligation to execute what was law, involved that of not suffering rights secured by valid laws, to be prostrated by what was no law. I always understood that these prosecutions had been invited, if not instituted, by Judge Edwards, and the marshal being republican, had summoned a grand jury partly or wholly republican: but that Mr. Huntington declared from the beginning against the jurisdiction of the court, and had determined to enter *nolle prosequis* before he received my directions.

I trouble you with another subject. The law making my letters post free, goes to those *to me* only, not those *from* me. The bill had got to its passage before this was observed (and first I believe by Mr. Dana), and the House under too much pressure of business near the close of the session to bring in another bill. As the privilege of freedom was given to the letters *from* as well as *to* both my predecessors, I suppose no reason exists for making a distinction. And in so extensive a correspondence as I am subject to, and still considerably on public matters, it would be a sensible convenience to myself, as well as those who have occasion to receive letters from me. It happens too, as I was told at the time (for I have never looked into it myself), that it was done by two distinct acts on both the former occasions. Mr. Eppes, I think, mentioned this to me. I know from the Post-Master-General, that Mr. Adams franks all his letters. I state this matter to you as being my representative, which must apologise for the trouble of it. We have been seasonable since you left us. Yesterday evening and this morning we have had refreshing showers, which will close and confirm the business of planting. Affectionately yours,

TH. JEFFERSON.

TO THE PRESIDENT.

Monticello, August 17, 1809.

DEAR SIR,

* * * * * * *

I never doubted the chicanery of the Anglomen, on whatsoever measures you should take in consequence of the disavowal of Erskine; yet I am satisfied that both the proclamations have been sound. The first has been sanctioned by universal approbation; and although it was not literally the case foreseen by the legislature, yet it was a proper extension of their provision to a case similar, though not the same. It proved to the whole world our desire of accommodation, and must have satisfied every candid federalist on that head. It was not only proper on the well-grounded confidence that the arrangement would be honestly executed, but ought to have taken place, even had the conduct of England been foreseen. Their gain is richly remunerated to us by our placing them so shamefully in the wrong, and by the union it must produce among ourselves. The last proclamation admits of quibbles, of which advantage will doubtless be endeavoured to be taken, by those to whom gain is their god. But it is soundly defensible. The British minister assured us, that the orders of council would be revoked before the 10th of June. The executive, trusting in that assurance, declared by proclamation that the revocation was to take place, and that on that event the law was to be suspended. But the event did not take place, and the consequence, of course, could not follow. This view is derived from the former non-intercourse law only, having never read the latter one. I had doubted whether Congress must not be called; but that arose from another doubt, whether their second law had not changed the ground, so as to require their agency to give operation to the law. Should Buonaparte have the wisdom to correct his injustice towards us, I consider war with England as inevitable. Our ships will go to France and its dependencies, and they will take them. This will be war on their part, and leaves no alternative but reprisal. I have no doubt you will think it safe to act on this hypothesis, and with energy. The moment that open war shall be apprehended from them, we should take possession of Baton Rouge. If we do not, they will, and New Orleans becomes irrecoverable, and the western country blockaded during the war. It would be justifiable towards Spain on this ground, and equally so on that of title to West Florida, and reprisal extended to East Florida. Whatever turn our present difficulty may take, I look upon all cordial conciliation with England as desperate during the life of the present King. I hope and doubt not that Erskine will justify himself. My confidence is founded in a belief of his integrity, and in the * * * * * of Canning. I consider the present as the most shameless ministry which ever disgraced England. Copenhagen will immortalise their infamy. In general, their administrations are so changeable, and they are obliged to descend to such tricks to keep themselves in place, that nothing like honour or morality can ever be counted on in transactions with them. I salute you with all possible affection,

Th. Jefferson.

TO DOCTOR BARTON.

Monticello, September 21, 1809.

Dear Sir,

I received last night your favour of the 14th, and would with all possible pleasure have communicated to you any part, or the whole, of the Indian vocabularies which I had collected, but an irreparable misfortune has deprived me of them. I have now been thirty years availing myself of every possible opportunity of procuring Indian vocabularies to the same set of words: my opportunities were probably better than will ever occur again to any person having the same desire. I had collected about fifty, and had digested most of them in collateral columns, and meant to have printed them the last year of my stay in Washington. But not having yet digested Captain Lewis's collection, nor having leisure then to do it, I put it off till I should return home. The whole, as well digest as originals, were packed in a trunk of stationery, and sent round by water, with about thirty other packages of my effects, from Washington, and while ascending James river, this package, on account of its weight and presumed precious contents, was singled out and stolen. The thief being disappointed on opening it, threw into the river all its contents, of which he thought he could make no use. Among these were the whole of the vocabularies. Some leaves floated ashore, and were found in the mud; but these were very few, and so defaced by the mud and water that no general use can ever be made of them. On the receipt of your letter I turned to them, and was very happy to find, that the only morsel of an original vocabulary among them, was Captain Lewis's, of the Pani language, of which you say you have not one word. I therefore inclose it to you, as it is, and a little fragment of some other, which I see is in his hand writing, but no indication remains on it of what language it is. It is a specimen of the condition of the little which was recovered. I am the more concerned at this accident, as of the two hundred and fifty words of my vocabularies, and the one hundred and thirty words of the great Russian vocabularies of the languages of the other quarters of the globe, seventy-three were common to both, and would have furnished materials for a comparison from which something might have resulted. Although I believe no general use can ever be made of the wrecks of my loss, yet I will ask the return of the Pani vocabulary when you are done with it. Perhaps I may make another attempt to collect, although I am too old to expect to make much progress in it.

I learn with pleasure, your acquisition of the pamphlet on the astronomy of the antient Mexicans. If it be antient and genuine, or modern and rational, it will be of real value. It is one of the most interesting countries of our hemisphere, and merits every attention.

I am thankful for your kind offer of sending the original Spanish for my perusal. But I think it a pity to trust it to the accidents of the post, and whenever you publish the translation, I shall be satisfied to read that which shall be given by your translator, who is, I am sure, a greater adept in the language than I am.

Accept the assurances of my great esteem and respect.

TH. JEFFERSON.

TO DON VALENTINE DE FORONDA.

Monticello, October 4, 1809.

DEAR SIR,

Your favour of August the 26th came to hand in the succeeding month, and I have now to thank you for the pamphlet it contained. I have read it with pleasure, and find the constitution proposed would probably be as free as is consistent with hereditary institutions. It has one feature which I like much; that which provides that when the three co-ordinate branches differ in their construction of the constitution, the opinion of two branches shall overrule the third. Our constitution has not sufficiently solved this difficulty.

Among the multitude of characters with which public office leads us to official intercourse, we cannot fail to observe many, whose personal worth marks them as objects of particular esteem, whom we would wish to select for our society in private life. I avail myself gladly of the present occasion, of assuring you that I was peculiarly impressed with your merit and talents, and that I have ever entertained for them a particular respect. To those whose views are single and direct, it is a great comfort to have to do business with frank and honourable minds. And here give me leave to make an avowal, for which, in my present retirement, there can be no motive but a regard for truth. Your predecessor, soured on a question of etiquette against the administration of this country, wished to impute wrong to them in all their actions, even where he did not believe it himself. In this spirit, he wished it to be believed that we were in unjustifiable co-operation in Miranda's expedition. I solemnly, and on my personal truth and honour, declare to you, that this was entirely without foundation, and that there was neither co-operation nor connivance on our part. He informed us he was about to attempt the liberation of his native country from bondage, and intimated a hope of our aid, or connivance at least. He was at once informed, that although we had great cause of complaint against Spain, and even of war, yet whenever we should think proper to act as her enemy, it should be openly and above board, and that our hostility should never be exercised by such petty means. We had no suspicion that he expected to engage men here, but merely to purchase military stores. Against this there was no law, nor consequently any authority for us to interpose obstacles. On the other hand, we deemed it improper to betray his voluntary communication to the agents of Spain. Although his measures were many days in preparation at New York, we never had the least intimation or suspicion of his engaging men in his enterprize, until he was gone; and I presume the secrecy of his proceedings kept them equally unknown to the Marquis Yrujo at Philadelphia, and the Spanish consul at New York, since neither of them gave us any information of the enlistment of men, until it was too late for any measures taken at Washington to prevent their departure. The officer in the Customs, who participated in this transaction with Miranda, we immediately removed, and should have had him and others further punished, had it not been for the protection given them by private citizens at New York, in opposition to the government, who, by their impudent falsehoods and calumnies, were able to overbear the minds of the jurors. Be assured, Sir, that no motive could induce me, at this time, to make this declaration so gratuitously, were it not founded in sacred truth: and I will add further, that I never did, or countenanced, in public life, a single act inconsistent with the strictest good faith; having never believed there was one code of morality for a public, and another for a private man.

I receive, with great pleasure, the testimonies of personal esteem which breathe through your letter; and I pray you to accept those equally sincere with which I now salute you.

TH. JEFFERSON.

TO ALBERT GALLATIN.

Monticello, October 11, 1809.

DEAR SIR,

I do not know whether the request of Monsieur Moussier, explained in the inclosed letter, is grantable or not. But my partialities in favour of whatever may promote either the useful or liberal arts, induce me to place it under your consideration, to do in it whatever is right, neither more nor less. I would then ask you to favour me with three lines, in such form as I may forward him by way of answer.

I have reflected much and painfully on the change of dispositions which has taken place among the members of the cabinet, since the new arrangement, as you stated to me in the moment of our separation. It would be, indeed, a great public calamity were it to fix you in the purpose which you seemed to think possible. I consider the fortunes of our republic as depending, in an eminent degree, on the extinguishment of the public debt before we engage in any war: because, that done, we shall have revenue enough to improve our country in peace, and defend it in war, without recurring either to new taxes or loans. But if the debt should once more be swelled to a formidable size, its entire discharge will be despaired of, and we shall be committed to the English career of debt, corruption, and rottenness, closing with revolution. The discharge of the debt, therefore, is vital to the destinies of our government, and it hangs on Mr. Madison and yourself alone. We shall never see another President and Secretary of the Treasury making all other objects subordinate to this. Were either of you to be lost to the public, that great hope is lost. I had always cherished the idea that you would fix on that object the measure of your fame, and of the gratitude which our country will owe you. Nor can I yield up this prospect to the secondary considerations which assail your tranquillity. For sure I am, they never can produce any other serious effect. Your value is too justly estimated by our fellow citizens at large, as well as their functionaries, to admit any remissness in their support of you. My opinion always was, that none of us ever occupied stronger ground in the esteem of Congress than yourself, and I am satisfied there is no one who does not feel your aid to be still as important for the future, as it has been for the past. You have nothing, therefore, to apprehend in the dispositions of Congress, and still less of the President, who, above all men, is the most interested and affectionately disposed to support you. I hope, then, you will abandon entirely the idea you expressed to me, and that you will consider the eight years to come as essential to your political career. I should certainly consider any earlier day of your retirement, as the most inauspicious day our new government has ever seen. In addition to the common interest in this question, I feel particularly for myself the considerations of gratitude which I personally owe you for your valuable aid during my administration of the public affairs, a just sense of the large portion of the public approbation which was earned by your labours and belongs to you, and the sincere friendship and attachment which grew out of our joint exertions to promote the common good; and of which I pray you now to accept the most cordial and respectful assurances.

TH. JEFFERSON.

TO CÆSAR A. RODNEY.

Monticello, February 10, 1810.

My dear Sir,

I have to thank you for your favour of the 31st ultimo, which is just now received. It has been peculiarly unfortunate for us, personally, that the portion in the history of mankind, at which we were called to take a share in the direction of their affairs, was such an one as history has never before presented. At any other period, the even-handed justice we have observed towards all nations, the efforts we have made to merit their esteem by every act which candour or liberality could exercise, would have preserved our peace, and secured the unqualified confidence of all other nations in our faith and probity. But the hurricane which is now blasting the world, physical and moral, has prostrated all the mounds of reason as well as right. All those calculations which, at any other period, would have been deemed honourable, of the existence of a moral sense in man, individually or associated, of the connection which the laws of nature have established between his duties and his interests, of a regard for honest fame and the esteem of our fellow men, have been a matter of reproach on us, as evidences of imbecility. As if it could be a folly for an honest man to suppose that others could be honest also, when it is their interest to be so. And when is this state of things to end? The death of Buonaparte would, to be sure, remove the first and chiefest apostle of the desolation of men and morals, and might withdraw the scourge of the land. But what is to restore order and safety on the ocean? The death of George III? Not at all. He is only stupid; and his ministers, however weak and profligate in morals, are ephemeral. But his nation is permanent, and it is that which is the tyrant of the ocean. The principle that force is right, is become the principle of the nation itself. They would not permit an honest minister, were accident to bring such an one into power, to relax their system of lawless piracy. These were the difficulties when I was with you. I know they are not lessened, and I pity you.

It is a blessing, however, that our people are reasonable; that they are kept so well informed of the state of things as to judge for themselves, to see the true sources of their difficulties, and to maintain their confidence undiminished in the wisdom and integrity of their functionaries. *Macte virtute,* therefore: continue to go straight forward, pursuing always that which is right, as the only clue which can lead us out of the labyrinth. Let nothing be spared of either reason or passion, to preserve the public confidence entire, as the only rock of our safety. In times of peace, the people look most to their representatives; but in war, to the executive solely. It is visible that their confidence is even now veering in that direction; that they are looking to the executive to give the proper direction to their affairs, with a confidence as auspicious as it is well founded.

I avail myself of this, the first occasion of writing to you, to express all the depth of my affection for you; the sense I entertain of your faithful co-operation in my late labours, and the debt I owe for the valuable aids I received from you. Though separated from my fellow labourers in place and pursuit, my affections are with you all, and I offer daily prayers that ye love one another, as I love you. God bless you.

TH. JEFFERSON.

TO SAMUEL KERCHEVAL.*

Monticello, February 19, 1810.

SIR,

Yours of the 7th instant has been duly received, with the pamphlet inclosed, for which I return you my thanks. Nothing can be more exactly and seriously true than what is there stated; that but a short time elapsed after the death of the great reformer of the Jewish religion, before his principles were departed from by those who professed to be his special servants, and perverted into an engine for enslaving mankind, and aggrandizing their oppressors in Church and State; that the purest system of morals ever before preached to man, has been adulterated and sophisticated by artificial constructions, into a mere contrivance to filch wealth and power to themselves; that rational men, not being able to swallow their impious heresies, in order to force them down their throats, they raise the hue and cry of infidelity, while themselves are the greatest obstacles to the advancement of the real doctrines of Jesus, and do in fact constitute the real Anti-Christ.

You expect that your book will have some effect on the

[* This letter is endorsed, 'not sent.']

prejudices which the society of Friends entertain against the present and late administrations. In this, I think, you will be disappointed. The Friends are men, formed with the same passions, and swayed by the same natural principles and prejudices as others. In cases where the passions are neutral, men will display their respect for the religious *professions* of their sect. But where their passions are enlisted, these *professions* are no obstacle. You observe, very truly, that both the late and present administration conducted the government on principles *professed* by the Friends. Our efforts to preserve peace, our measures as to the Indians, as to slavery, as to religious freedom, were all in consonance with their *professions*. Yet I never expected we should get a vote from them, and in this I was neither deceived nor disappointed. There is no riddle in this, to those who do not suffer themselves to be duped by the *professions* of religious sectaries. The theory of American Quakerism is a very obvious one. The mother society is in England. Its members are English, by birth and residence, devoted to their own country, as good citizens ought to be. The Quakers of these States are colonies, or filiations, from the mother society, to whom that society sends its yearly lessons. On these the filiated societies model their opinions, their conduct, their passions, and attachments. A Quaker is, essentially, an Englishman, in whatever part of the earth he is born or lives. The outrages of Great Britain on our navigation and commerce, have kept us in perpetual bickerings with her. The Quakers here have taken side against their own government; not on their *profession* of peace, for they saw that peace was our object also; but from devotion to the views of the mother society. In 1797 and 8, when an administration sought war with France, the Quakers were the most clamorous for war. Their principle of peace, as a secondary one, yielded to the primary one of adherence to the Friends in England; and what was patriotism in the original became treason in the copy. On that occasion, they obliged their good old leader, Mr. Pemberton, to erase his name from a petition to Congress, against war, which had been delivered to a Representative of Pennsylvania, a member of the late and present administration. He accordingly permitted the old gentleman to erase his name. You must not, therefore, expect that your book will have any more effect on the society of Friends here, than on the English merchants settled among us. I apply this to the Friends in general, not universally. I know individuals among them as good patriots as we have.

I thank you for the kind wishes and sentiments towards myself, expressed in your letter, and sincerely wish to yourself the blessings of health and happiness.

TH. JEFFERSON.

TO GENERAL KOSCIUSKO.

Monticello, February 26, 1810.

MY DEAR GENERAL AND FRIEND,

I have rarely written to you; never but by safe conveyances; and avoiding every thing political, lest, coming from one in the station I then held, it might be imputed injuriously to our country, or perhaps even excite jealousy of you. Hence my letters were necessarily dry. Retired now from public concerns, totally unconnected with them, and avoiding all curiosity about what is done or intended, what I say is from myself only, the workings of my own mind, imputable to nobody else.

The anxieties which I know you have felt, on seeing exposed to the justlings of a warring world, a country to which, in early life, you devoted your sword and services when oppressed by foreign dominion, were worthy of your philanthropy and disinterested attachment to the freedom and happiness of man. Although we have not made all the provisions which might be necessary for a war in the field of Europe, yet we have not been inattentive to such as would be necessary here. From the moment that the affair of the Chesapeake rendered the prospect of war imminent, every faculty was exerted to be prepared for it; and, I think, I may venture to solace you with the assurance, that we are, in a good degree, prepared. Military stores, for many campaigns, are on hand, all the necessary articles (sulphur excepted), and the art of preparing them among ourselves, abundantly; arms in our magazines for more men than will ever be required in the field, and forty thousand new stand yearly added, of our own fabrication, superior to any we have ever seen from Europe; heavy artillery much beyond our need; an increasing stock of field-pieces, several founderies casting one every other day each; a military school of about fifty students, which has been in operation a dozen years; and the manufacture of men constantly going on, and adding forty thousand young soldiers to our force every year that the war is deferred. At all our seaport towns of the least consequence we have erected works of defence, and assigned them gun-boats, carrying one or two heavy pieces, either eighteen, twenty-four, or thirty-two pounders, sufficient, in the smaller harbours, to repel the predatory attacks of privateers or single armed ships, and proportioned in the larger harbours to such more serious attacks as they may probably be exposed to. All these were nearly completed, and their gun-boats in readiness, when I retired from the government. The works of New York and New Orleans alone, being on a much larger scale, are not yet completed. The former will be finished this summer, mounting four hundred and thirty-eight guns, and, with the aid of from fifty to one hundred gun-boats, will be adequate to the resistance of any fleet which will ever be trusted across the Atlantic. The works for New Orleans are less advanced. These are our preparations. They are very different from what you will be told by newspapers and travellers, even Americans. But it is not to them the government communicates the public condition. Ask one of them if he knows the exact state of any particular harbour, and you will find, probably, that he does not know even that of the one he comes from. You will ask, perhaps, where are the proofs of these preparations for one who cannot go and see them. I answer, in the acts of Congress, authorizing such preparations, and in your knowledge of me, that, if authorized, they would be executed.

Two measures have not been adopted, which I pressed on Congress repeatedly at their meetings. The one, to settle the whole ungranted territory of Orleans, by donations of land to able-bodied young men, to be engaged and carried there at the public expense, who would constitute a force always ready on the spot to defend New Orleans. The other was, to class the militia according to the years of their birth, and make all those, from twenty to twenty-five, liable to be trained and called into service at a moment's warning. This would have given us a force of three hundred thousand young men, prepared, by proper training, for service in any part of the United States; while those who had passed through that period would remain at home, liable to be used in their own or adjacent States. These two measures would have completed what I deemed necessary for the entire security of our country. They would have given me, on my retirement from the government of the nation, the consolatory reflection, that having found, when I was called to it, not a single seaport town in a condition to repel a levy of contribution by a single privateer or pirate, I had left every harbour so prepared by works and gun-boats, as to be in a reasonable state of security against any probable attack; the territory of Orleans acquired and planted with an internal force sufficient for its protection; and the whole territory of the United States organized by such a classification of its male force, as would give it the benefit of all its young population for active service, and that of a middle and advanced age for stationary defence. But these measures will, I hope, be completed by my successor, who, to the purest principles of republican patriotism, adds a wisdom and foresight second to no man on earth.

So much as to my country. Now a word as to myself. I am retired to Monticello, where, in the bosom of my family, and surrounded by my books, I enjoy a repose to which I have been long a stranger. My mornings are devoted to correspondence. From breakfast to dinner, I am in my shops, my garden, or on horseback among my farms; from dinner to dark, I give to society and recreation with my neighbours and friends; and from candle-light to early bed-time, I read. My health is perfect; and my strength considerably reinforced by the activity of the course I pursue; perhaps it is as great as usually falls to the lot of near sixty-seven years of age. I talk of ploughs and harrows, seeding and harvesting, with my neighbours, and of politics too, if they choose, with as little reserve as the rest of my fellow-citizens, and feel, at length, the blessing of being free to say and do what I please, without being responsible for it to any mortal. A part of my occupation, and by no means the least pleasing, is the direction of the studies of such young men as ask it. They place themselves in the neighbouring village, and have the use of my library and counsel, and make a part of my society. In advising the course of their reading, I endeavour to keep their attention fixed on the main objects of all science, the freedom and happiness of man. So that coming to bear a share in the councils and government of their country, they will keep ever in view the sole objects of all legitimate government.

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Instead of the unalloyed happiness of retiring unembarassed and independent, to the enjoyment of my estate, which is ample for my limited views, I have to pass such a length of time in a thraldom of mind never before known to me. Except for this, my happiness would have been perfect. That yours may never know disturbance, and that you may enjoy as many years of life, health, and ease, as yourself shall wish, is the sincere prayer of your constant and affectionate friend.

TH. JEFFERSON.

TO DOCTOR JONES.

Monticello, March 5, 1810.

DEAR SIR,

I received duly your favour of the 19th ultimo, and I salute you with all antient and recent recollections of friendship. I have learned, with real sorrow, that circumstances have arisen among our executive counsellors, which have rendered foes those who once were friends. To themselves it will be a source of infinite pain and vexation, and therefore chiefly I lament it, for I have a sincere esteem for both parties. To the President it will be really inconvenient; but to the nation I do not know that it can do serious injury, unless we were to believe the newspapers, which pretend that Mr. Gallatin will go out. That indeed would be a day of mourning for the United States: but I hope that the position of both gentlemen may be made so easy as to give no cause for either to withdraw. The ordinary business of every day is done by consultation between the President and the head of the department alone, to which it belongs. For measures of importance or difficulty, a consultation is held with the heads of departments, either assembled, or by taking their opinions separately in conversation or in writing. The latter is most strictly in the spirit of the constitution. Because the President, on weighing the advice of all, is left free to make up an opinion for himself. In this way they are not brought together, and it is not necessarily known to any what opinion the others have given. This was General Washington's practice for the first two or three years of his administration, till the affairs of France and England threatened to embroil us, and rendered consideration and discussion desirable. In these discussions, Hamilton and myself were daily pitted in the cabinet like two cocks. We were then but four in number, and, according to the majority, which of course was three to one, the President decided. The pain was for Hamilton and myself, but the public experienced no inconvenience. I practised this last method, because the harmony was so cordial among us all, that we never failed, by a contribution of mutual views of the subject, to form an opinion acceptable to the whole. I think there never was one instance to the contrary, in any case of consequence. Yet this does, in fact, transform the executive into a directory, and I hold the other method to be more constitutional. It is better calculated too to prevent collision and irritation, and to cure it, or, at least, suppress its effects when it has already taken place. It is the obvious and sufficient remedy in the present case, and will doubtless be resorted to.

Our difficulties are indeed great, if we consider ourselves alone. But, when viewed in comparison with those of Europe, they are the joys of Paradise. In the eternal revolution of ages, the destinies have placed our portion of existence amidst such scenes of tumult and outrage, as no other period, within our knowledge, had presented. Every government but one on the continent of Europe, demolished, a conqueror roaming over the earth with havoc and destruction, a pirate spreading misery and ruin over the face of the ocean. Indeed, my friend, ours is a bed of roses. And the system of government which shall keep us afloat amidst this wreck of the world, will be immortalised in history. We have, to be sure, our petty squabbles and heart-burnings, and we have something of the blue devils at times, as to these raw heads and bloody bones who are eating up other nations. But, happily for us, the Mammoth cannot swim, nor the Leviathan move on dry land: and if we will keep out of their way, they cannot get at us. If, indeed, we choose to place ourselves within the scope of their tether, a gripe of the paw, or flounce of the tail, may be our fortune. Our business certainly was to be still. But a part of our nation chose to declare against this, in such a way as to control the wisdom of the government. I yielded with others, to avoid a greater evil. But from that moment, I have seen no system which could keep us entirely aloof from these agents of destruction. If there be any, I am certain that you, my friends, now charged with the care of us all, will see and pursue it. I give myself, therefore, no trouble with thinking or puzzling about it. Being confident in my watchmen, I sleep soundly. God bless you all, and send you a safe deliverance.

TH. JEFFERSON.

TO GOVERNOR LANGDON.

Monticello, March 5, 1810.

Your letter, my dear friend, of the 18th ultimo, comes like the refreshing dews of the evening on a thirsty soil. It recalls antient as well as recent recollections, very dear to my heart. For five and thirty years we have walked together through a land of tribulations. Yet these have passed away, and so, I trust, will those of the present day. The toryism with which we struggled in '77, differed but in name from the federalism of '99, with which we struggled also; and the Anglicism of 1808, against which we are now struggling, is but the same thing still, in another form. It is a longing for a king, and an English king rather than any other. This is the true source of their sorrows and wailings.

The fear that Buonaparte will come over to us and conquer us also, is too chimerical to be genuine. Supposing him to have finished Spain and Portugal, he has yet England and Russia to subdue. The maxim of war was never sounder than in this case, not to leave an enemy in the rear; and especially where an insurrectionary flame is known to be under the embers, merely smothered, and ready to burst at every point. These two subdued, (and surely the Anglomen will not think the conquest of England alone a short work,) antient Greece and Macedonia, the cradle of Alexander, his prototype, and Constantinople, the seat of empire for the world, would glitter more in his eye than our bleak mountains and rugged forests. Egypt, too, and the golden apples of Mauritania, have, for more than half a century, fixed the longing eyes of France; and with Syria, you know, he has an old affront to wipe out. Then come 'Pontus and Galatia, Cappadocia, Asia, and Bithynia,' the fine countries on the Euphrates and Tigris, the Oxus and Indus, and all beyond the Hyphasis, which bounded the glories of his Macedonian rival; with the invitations of his new British subjects on the banks of the Ganges, whom, after receiving under his protection the mother country, he cannot refuse to visit. When all this is done and settled, and nothing of the old world remains unsubdued, he may turn to the new one. But will he attack us first, from whom he will get but hard knocks and no money? Or will he first lay hold of the gold and silver of Mexico and Peru, and the diamonds of Brazil? A *republican* emperor, from his affection to republics, independent of motives of expediency, must grant to ours the Cyclop's boon of being the last devoured. While all this is doing, we are to suppose the chapter of accidents read out, and that nothing can happen to cut short, or to disturb his enterprises.

But the Anglomen, it seems, have found out a much safer dependance, than all these chances of death or disappointment. That is, that we should first let England plunder us, as she has been doing for years, for fear Buonaparte should do it; and then ally ourselves with her, and enter into the war. A conqueror, whose career England could not arrest when aided by Russia, Austria, Prussia, Sweden, Spain, and Portugal, she is now to destroy, with all these on his side, by the aid of the United States alone. This, indeed, is making us a mighty people. And what is to be our security, that when embarked for her in the war, she will not make a separate peace, and leave us in the lurch? Her good faith! The faith of a nation of merchants! The *Punica fides* of modern Carthage! Of the friend and protectress of Copenhagen! Of the nation who never admitted a chapter of morality into her political code! And is now boldly avowing, that whatever power can make hers, is hers of right. Money, and not morality, is the principle of commerce and commercial nations. But, in addition to this, the nature of the English government forbids, of itself, reliance on her engagements: and it is well known she has been the least faithful to her alliances of any nation of Europe, since the period of her history wherein she has been distinguished for her commerce and corruption, that is to say, under the houses of Stuart and Brunswick. To Portugal alone she has steadily adhered, because, by her Methuin treaty she had made it a colony, and one of the most valuable to her. It may be asked, what, in the nature of her government, unfits England for the observation of moral duties? In the first place, her king is a cipher; his only function being to name the oligarchy which is to govern her. The parliament is, by corruption, the mere instrument of the will of the administration. The real power and property in the government is in the great aristocratical families of the nation. The nest of office being too small for all of them to cuddle into at once, the contest is eternal, which shall crowd the other out. For this purpose, they are divided into two parties, the Ins and the Outs, so equal in weight that a small matter turns the balance. To keep themselves in, when they are in, every stratagem must be practised, every artifice used which may flatter the pride, the passions, or power of the nation. Justice, honour, faith, must yield to the necessity of keeping themselves in place. The question, whether a measure is moral, is never asked; but whether it will nourish the avarice of their merchants, or the piratical spirit of their navy, or produce any other effect which may strengthen them in their places. As to engagements, however positive, entered into by the predecessors of the Ins, why they were their enemies; they did every thing which was wrong; and to reverse every thing they did, must, therefore, be right. This is the true character of the English government in practice, however different its theory; and it presents the singular phenomenon of a nation, the individuals of which are as faithful to their private engagements and duties, as honourable, as worthy, as those of any nation on earth, and whose government is yet the most unprincipled at this day known. In an absolute government there can be no such equiponderant parties. The despot is the government. His power suppressing all opposition, maintains his ministers firm in their places. What he has contracted, therefore, through them, he has the power to observe with good faith; and he identifies his own honour and faith with that of his nation.

When I observed, however, that the King of England was a cipher, I did not mean to confine the observation to the mere individual now on that throne. The practice of Kings marrying only into the families of Kings, has been that of Europe for some centuries. Now, take any race of animals, confine them in idleness and inaction, whether in a stye, a stable, or a state room, pamper them with high diet, gratify all their sexual appetites, immerse them in sensualities, nourish their passions, let every thing bend before them, and banish whatever might lead them to think, and in a few generations they become all body and no mind: and this, too, by a law of nature, by that very law by which we are in the constant practice of changing the characters and propensities of the animals we raise for our own purposes. Such is the regimen in raising Kings, and in this way they have gone on for centuries. While in Europe, I often amused myself with contemplating the characters of the then reigning sovereigns of Europe. Louis the XVI. was a fool, of my own knowledge, and in despite of the answers made for him at his trial. The King of Spain was a fool, and of Naples the same. They passed their lives in hunting, and despatched two couriers a week, one thousand miles, to let each other know what game they had killed the preceding days. The King of Sardinia was a fool. All these were Bourbons. The Queen of Portugal, a Braganza, was an idiot by nature. And so was the

King of Denmark. Their sons, as regents, exercised the powers of government. The King of Prussia, successor to the great Frederick, was a mere hog in body as well as in mind. Gustavus of Sweden, and Joseph of Austria, were really crazy, and George of England, you know, was in a straight waistcoat. There remained, then, none but old Catherine, who had been too lately picked up to have lost her common sense. In this state Buonaparte found Europe; and it was this state of its rulers which lost it with scarce a struggle. These animals had become without mind and powerless; and so will every hereditary monarch be after a few generations. Alexander, the grandson of Catherine, is as yet an exception. He is able to hold his own. But he is only of the third generation. His race is not yet worn out. And so endeth the book of Kings, from all of whom the Lord deliver us, and have you, my friend, and all such good men and true, in his holy keeping.

TH. JEFFERSON.

TO GENERAL DEARBORNE.

Monticello, July 16, 1810.

DEAR GENERAL AND FRIEND,

Your favour of May the 31st was duly received, and I join in congratulations with you on the resurrection of republican principles in Massachusetts and New Hampshire, and the hope that the professors of these principles will not again easily be driven off their ground. The federalists, during their short-lived ascendancy, have, nevertheless, by forcing us from the embargo, inflicted a wound on our interests which can never be cured, and on our affections which will require time to cicatrise. I ascribe all this to one pseudo-republican, Storey. He came on (in place of Crowningshield, I believe) and staid only a few days; long enough, however, to get complete hold of Bacon, who giving in to his representations, became panic struck, and communicated his panic to his colleagues, and they to a majority of the sound members of Congress. They believed in the alternative of repeal or civil war, and produced the fatal measure of repeal. This is the immediate parent of all our present evils, and has reduced us to a low standing in the eyes of the world. I should think that even the federalists themselves must now be made, by their feelings, sensible of their error. The wealth which the embargo brought home safely, has now been thrown back into the laps of our enemies; and our navigation completely crushed, and by the unwise and unpatriotic conduct of those engaged in it. Should the orders prove genuine, which are said to have been given against our fisheries, they too, are gone: and if not true as yet, they will be true on the first breeze of success which England shall feel: for it has now been some years, that I am perfectly satisfied her intentions have been to claim the ocean as her conquest, and prohibit any vessel from navigating it, but on such a tribute as may enable her to keep up such a standing navy as will maintain her dominion over it. She has hauled in, or let herself out, been bold or hesitating, according to occurrences, but has in no situation done any thing which might amount to an acknowledged relinquishment of her intentions. I have ever been anxious to avoid a war with England, unless forced by a situation more losing than war itself. But I did believe we could coerce her to justice by peaceable means, and the embargo, evaded as it was, proved it would have coerced her, had it been honestly executed. The proof she exhibited on that occasion, that she can exercise such an influence in this country as to control the will of its government and three fourths of its people, and oblige the three fourths to submit to one fourth, is to me the most mortifying circumstance which has occurred since the establishment of our government. The only prospect I see of lessening that influence, is in her own conduct, and not from any thing in our power. Radically hostile to our navigation and commerce, and fearing its rivalry, she will completely crush it, and force us to resort to agriculture, not aware that we shall resort to manufactures also, and render her conquests over our navigation and commerce useless, at least, if not injurious to herself in the end, and perhaps salutary to us, as removing out of our way the chief causes and provocations to war.

But these are views which concern the present and future generation, among neither of which I count myself. You may live to see the change in our pursuits, and chiefly in those of your own State, which England will effect. I am not certain that the change on Massachusetts, by driving her to agriculture, manufactures and emigration, will lessen her happiness But, once more, to be done with politics. How does Mrs. Dearborne do? How do you both like your situation? Do you amuse yourself with a garden, a farm, or what? That your pursuits, whatever they be, may make you both easy, healthy, and happy, is the prayer of your sincere friend.

TH. JEFFERSON.

TO J. B. COLVIN.

Monticello, September 20, 1810.

SIR,

Your favour of the 14th has been duly received, and I have to thank you for the many obliging things respecting myself which are said in it. If I have left in the breasts of my fellow citizens, a sentiment of satisfaction with my conduct in the transaction of their business, it will soften the pillow of my repose through the residue of life.

The question you propose, whether circumstances do not sometimes occur, which make it a duty in officers of high trust, to assume authorities beyond the law, is easy of solution in principle, but sometimes embarrassing in practice. A strict observance of the written laws is doubtless *one* of the high duties of a good citizen: but it is not *the highest*. The laws of necessity, of self-preservation, of saving our country when in danger, are of higher obligation. To lose our country by a scrupulous adherence to written law, would be to lose the law itself, with life, liberty, property, and all those who are enjoying them with us; thus absurdly sacrificing the end to the means. When, in the battle of Germantown, General Washington's army was annoyed from Chew's house, he did not hesitate to plant his cannon against it, although the property of a citizen. When he besieged Yorktown, he levelled the suburbs, feeling that the laws of property must be postponed to the safety of the nation. While the army was before York, the Governor of Virginia took horses, carriages, provisions, and even men, by force, to enable that army to stay together till it could master the public enemy; and he was justified. A ship at sea in distress for provisions, meets another having abundance, yet refusing a supply; the law of self-preservation authorises the distressed to take a supply by force. In all these cases, the unwritten laws of necessity, of self-preservation, and of the public safety, control the written laws of *meum* and *tuum*. Further to exemplify the principle, I will state an hypothetical case. Suppose it had been made known to the executive of the Union in the autumn of 1805, that we might have the Floridas for a reasonable sum, that that sum had not indeed been so appropriated by law, but that Congress were to meet within three weeks, and might appropriate it on the first or second day of their session. Ought he, for so great an advantage to his country, to have risked himself by transcending the law and making the purchase? The public advantage offered, in this supposed case, was indeed immense: but a reverence for law, and the probability that the advantage might still be *legally* accomplished by a delay of only three weeks, were powerful reasons against hazarding the act. But suppose it foreseen that a John Randolph would find means to protract the proceeding on it by Congress, until the ensuing spring, by which time new circumstances would change the mind of the other party. Ought the executive, in that case, and with that foreknowledge, to have secured the good to his country, and to have trusted to their justice for the transgression of the law? I think he ought, and that the act would have been approved. After the affair of the Chesapeake, we thought war a very possible result. Our magazines were illy provided with some necessary articles, nor had any appropriations been made for their purchase. We ventured, however, to provide them, and to place our country in safety; and stating the case to Congress, they sanctioned the act.

To proceed to the conspiracy of Burr, and particularly to General Wilkinson's situation in New Orleans. In judging this case, we are bound to consider the state of the information, correct and incorrect, which he then possessed. He expected Burr and his band from above, a British fleet from below, and he knew there was a formidable conspiracy within the city. Under these circumstances, was he justifiable, 1st, in seizing notorious conspirators? On this these can be but two opinions; one, of the guilty and their accomplices; the other, that of all honest men. 2nd. In sending them to the seat of government, when the written law gave them a right to trial in the territory? The danger of their rescue, of their continuing their machinations, the tardiness and weakness of the law, apathy of the judges, active patronage of the whole tribe of lawyers, unknown disposition of the juries, an hourly expectation of the enemy, salvation of the city, and of the Union itself, which would have been convulsed to its centre, had that conspiracy succeeded; all these constituted a law of necessity and self-preservation, and rendered the *salus populi* supreme over the written law. The officer who is called to act on this superior ground, does indeed risk himself on the justice of the controlling powers of the constitution, and his station makes it his duty to incur that risk. But those controlling powers, and his fellow citizens generally, are bound to judge according to the circumstances under which he acted.

They are not to transfer the information of this place or moment to the time and place of his action: but to put themselves into his situation. We knew here that there never was danger of a British fleet from below, and that Burr's band was crushed before it reached the Mississippi. But General Wilkinson's information was very different, and he could act on no other.

From these examples and principles you may see what I think on the question proposed. They do not go to the case of persons charged with petty duties, where consequences are trifling, and time allowed for a legal course, nor to authorise them to take such cases out of the written law. In these, the example of overleaping the law is of greater evil than a strict adherence to its imperfect provisions. It is incumbent on those only who accept of great charges, to risk themselves on great occasions, when the safety of the nation, or some of its very high interests, are at stake. An officer is bound to obey orders: yet he would be a bad one who should do it in cases for which they were not intended, and which involved the most important consequences. The line of discrimination between cases may be difficult; but the good officer is bound to draw it at his own peril, and throw himself on the justice of his country and the rectitude of his motives.

I have indulged freer views on this question, on your assurances that they are for your own eye only, and that they will not get into the hands of newswriters. I met their scurrilities without concern, while in pursuit of the great interests with which I was charged. But in my present retirement, no duty forbids my wish for quiet.

Accept the assurances of my esteem and respect.

TH. JEFFERSON.

TO MR. LAW.

Monticello, January 15, 1811.

DEAR SIR,

An absence from home of some length has prevented my sooner acknowledging the receipt of your letter, covering the printed pamphlet, which the same absence has, as yet, prevented me from taking up, but which I know I shall read with great pleasure. Your favour of December the 22nd is also received.

Mr. Wagner's malignity, like that of the rest of his tribe of brother printers, who deal out calumnies for federal readers, gives me no pain. When a printer cooks up a falsehood, it is as easy to put it into the mouth of a Mr. Fox as of a smaller man, and safer into that of a dead than a living one. Your sincere attachment to this country, as well as to your native one, was never doubted by me; and, in that persuasion, I felt myself free to express to you my genuine sentiments with respect to England. No man was more sensible than myself of the just value of the friendship of that country. There are between us so many of those circumstances which naturally produce and cement kind dispositions, that, if they could have forgiven our resistance to their usurpations, our connections might have been durable, and have insured duration to both our governments. I wished, therefore, a cordial friendship with them, and I spared no occasion of manifesting this in our correspondence and intercourse with them; not disguising, however, my desire of friendship with their enemy also. During the administration of Mr. Addington, I thought I discovered some friendly symptoms on the part of that government; at least, we received some marks of respect from the administration, and some of regret at the wrongs we were suffering from their country. So, also, during the short interval of Mr. Fox's power. But every other administration since our Revolution has been equally wanton in their injuries and insults, and have manifested equal hatred and aversion. Instead, too, of cultivating the government itself, whose principles are those of the great mass of the nation, they have adopted the miserable policy of teazing and embarrassing it by allying themselves with a faction here, not a tenth of the people, noisy and unprincipled, and which never can come into power while republicanism is the spirit of the nation; and that must continue to be so until such a condensation of population shall have taken place as will require centuries: whereas, the good will of the government itself would give them, and immediately, every benefit which reason or justice would permit it to give. With respect to myself, I saw great reason to believe their ministers were weak enough to credit the newspaper trash about a supposed personal enmity in myself towards England. This wretched party imputation was beneath the notice of wise men. England never did me a personal injury, other than in open war: and for numerous individuals there I have great esteem and friendship: and I must have had a mind far below the duties of my station, to have felt either national partialities or antipathies in conducting the affairs confided to me. My affections were first for my own country, and then, generally, for all mankind; and nothing but minds placing themselves above the passions, in the functionaries of this country, could have preserved us from the war to which their provocations have been constantly urging us. The war interests in England include a numerous and wealthy part of the population; and their influence is deemed worth courting by ministers wishing to keep their places. Continually endangered by a powerful opposition, they find it convenient to humour the popular passions at the expense of the public good. The shipping interest, commercial interest, and their janizaries of the navy, all fattening on war, will not be neglected by ministers of ordinary minds. Their tenure of office is so infirm that they dare not follow the dictates of wisdom, justice, and the well-calculated interests of their country. This vice in the English constitution renders a dependence on that government very unsafe. The feelings of their King, too, fundamentally adverse to us, have added another motive for unfriendliness in his ministers. This obstacle to friendship, however, seems likely to be soon removed; and I verily believe the successor will come in with fairer and wiser dispositions towards us: perhaps, on that event, their conduct may be changed. But what England is to become on the crush of her internal structure, now seeming to be begun, I cannot foresee. Her monied interest, created by her paper system, and now constituting a baseless mass of wealth equal to that of the owners of the soil, must disappear with that system, and the medium for paying great taxes thus failing, her navy must be without support. That it shall be supported by permitting her to claim dominion of the ocean, and to levy tribute on every flag traversing that, as lately attempted, and not yet relinquished, every nation must contest, even *ad internecionem.* And yet that, retiring from this enormity, she should continue able to take a fair share in the necessary equilibrium of power on that element, would be the desire of every nation.

I feel happy in withdrawing my mind from these anxieties, and resigning myself, for the remnant of life, to the care and guardianship of others. Good wishes are all an old man has to offer to his country or friends. Mine attend yourself, with sincere assurances of esteem and respect, which, however, I should be better pleased to tender you in person, should your rambles ever lead you into the vicinage of Monticello.

TH. JEFFERSON.

TO DOCTOR BENJAMIN RUSH.

Monticello, January 16, 1811.

DEAR SIR,

I had been considering for some days whether it was not time, by letter, to bring myself to your recollection, when I received your welcome favour of the 2nd instant. I had before heard of the heart-rending calamity you mention, and had sincerely sympathised with your afflictions; but I had not made it the subject of a letter, because I knew that condolences were but renewals of grief. Yet I thought, and still think, this is one of the cases wherein we should 'not sorrow even as others who have no hope.'

* * * * * * *

You ask if I have read Hartley? I have not. My present course of life admits of less reading than I wish. From breakfast, or noon at latest, I am mostly on horseback, attending to my farms or other concerns, which I find healthful to my body, mind, and affairs; and the few hours I can pass in my cabinet are devoured by correspondences; not those with my intimate friends, with whom I delight to interchange sentiments, but with others, who, writing to me on concerns of their own in which I have had an agency, or from motives of mere respect and approbation, are entitled to be answered with respect and a return of good will. My hope is that this obstacle to the delights of retirement will wear away with the oblivion which follows that, and that I may at length be indulged in those studious pursuits from which nothing but revolutionary duties would ever have called me.

I shall receive your proposed publication and read it with the pleasure which every thing gives me from your pen. Although much of a sceptic in the practice of medicine, I read with pleasure its ingenious theories.

I receive with sensibility your observations on the discontinuance of friendly correspondence between Mr. Adams and myself, and the concern you take in its restoration. This discontinuance has not proceeded from me, nor from the want of sincere desire and of effort on my part, to renew our intercourse. You know the perfect coincidence of principle and of action in the early part of the revolution, which produced a high degree of mutual respect and esteem between Mr Adams and myself. Certainly no man was ever truer than he was, in that day, to those principles of rational republicanism which, after the necessity of throwing off our monarchy, dictated all our efforts in the establishment of a new government. And although he swerved, afterwards, towards the principles of the English constitution, our friendship did not abate on that account. While he was Vice President and I Secretary of State, I received a letter from President Washington, then at Mount Vernon, desiring me to call together the heads of departments, and to invite Mr. Adams to join us, (which, by the bye, was the only instance of that being done,) in order to determine on some measure which required dispatch; and he desired me to act on it, as decided, without again recurring to him. I invited them to dine with me, and after dinner, sitting at our wine, having settled our question, other conversation came on, in which a collision of opinion arose between Mr. Adams and Colonel Hamilton, on the merits of the British constitution, Mr. Adams giving it as his opinion, that, if some of its defects and abuses were corrected, it would be the most perfect constitution of government ever devised by man. Hamilton, on the contrary, asserted, that with its existing vices, it was the most perfect model of government that could be formed; and that the correction of its vices would render it an impracticable government. And this you may be assured was the real line of difference between the political principles of these two gentlemen. Another incident took place on the same occasion, which will further delineate Hamilton's political principles. The room being hung around with a collection of the portraits of remarkable men, among them were those of Bacon, Newton, and Locke. Hamilton asked me who they were. I told him they were my trinity of the three greatest men the world had ever produced, naming them. He paused for some time. 'The greatest man,' said he, 'that ever lived, was Julius Cæsar.' Mr. Adams was honest as a politician, as well as a man; Hamilton honest as a man, but, as a politician, believing in the necessity of either force or corruption to govern men.

You remember the machinery which the federalists played off, about that time, to beat down the friends to the real principles of our constitution, to silence by terror every expression in their favour, to bring us into war with France and alliance with England, and finally to homologise our constitution with that of England. Mr. Adams, you know, was overwhelmed with feverish addresses, dictated by the fear, and often by the pen of the *bloody buoy*, and was seduced by them into some open indications of his new principles of government, and, in fact, was so elated as to mix with his kindness a little superciliousness towards me. Even Mrs. Adams, with all her good sense and prudence, was sensibly flushed. And you recollect the short suspension of our intercourse, and the circumstance which gave rise to it, which you were so good as to bring to an early explanation, and have set to rights, to the cordial satisfaction of us all. The nation at length passed condemnation on the political principles of the federalists, by refusing to continue Mr. Adams in the Presidency. On the day on which we learned in Philadelphia the vote of the city of New York, which, it was well known, would decide the vote of the State, and that, again, the vote of the Union, I called on Mr. Adams on some official business. He was very sensibly affected, and accosted me with these words. 'Well, I understand that you are to beat me in this contest, and I will only say that I will be as faithful a subject as any you will have.'—'Mr. Adams,' said I, 'this is no personal contest between you and me. Two systems of principles on the subject of government divide our fellow citizens into two parties. With one of these you concur, and I with the other. As we have been longer on the public stage than most of those now living, our names happen to be more generally known. One of these parties, therefore, has put your name at its head, the other mine. Were we both to die to-day, tomorrow two other names would be in the place of ours, without any change in the motion of the machine. Its motion is from its principle, not from you or myself.'—'I believe you are right,' said he; 'that we are but passive instruments, and should not suffer this matter to affect our personal dispositions.' But he did not long retain this just view of the subject. I have always believed that the thousand calumnies which the federalists, in bitterness of heart, and mortification at their ejection, daily invented against me, were carried to him by their busy intriguers, and made some impression. When the election between Burr and myself was kept in suspense by the federalists, and they were meditating to place the President of the Senate at the head of the government, I called on Mr. Adams with a view to have this desperate measure prevented by his negative. He grew warm in an instant, and said, with a vehemence he had not used towards me before, 'Sir, the event of the election is within your own power. You have only to say you will do justice to the public creditors, maintain the navy, and not disturb those holding offices, and the government will instantly be put into your hands. We know it is the wish of the people it should be so.' 'Mr. Adams,' said I, 'I know not what part of my conduct, in either public or private life, can have authorised a doubt of my fidelity to the public engagements. I say, however, I will not come into the government by capitulation. I will not enter on it, but in perfect freedom to follow the dictates of my own judgment.' I had before given the same answer to the same intimation from Gouverneur Morris. 'Then,' said he, 'things must take their course.' I turned the conversation to something else, and soon took my leave. It was the first time in our lives we had ever parted with any thing like dissatisfaction. And then followed those scenes of midnight appointment, which have been condemned by all men. The last day of his political power, the last hours, and even beyond the midnight, were employed in filling all offices, and especially permanent ones, with the bitterest federalists, and providing for me the alternative, either to execute the government by my enemies, whose study it would be to thwart and defeat all my measures, or to incur the odium of such numerous removals from office, as might bear me down. A little time and reflection effaced in my mind this temporary dissatisfaction with Mr. Adams, and restored me to that just estimate of his virtues and passions, which a long acquaintance had enabled me to fix. And my first wish became that of making his retirement easy by any means in my power; for it was understood he was not rich. I suggested to some republican members of the delegation from his State, the giving him, either directly or indirectly, an office the most lucrative in that State, and then offered to be resigned, if they thought he would not deem it affrontive. They were of opinion he would take great offence at the offer; and moreover, that the body of republicans would consider such a step in the outset, as auguring very ill of the course I meant to pursue. I dropped the idea, therefore, but did not cease to wish for some opportunity of renewing our friendly understanding.

Two or three years after, having had the misfortune to lose a daughter, between whom and Mrs. Adams there had been a considerable attachment, she made it the occasion of writing me a letter, in which, with the tenderest expressions of concern at this event, she carefully avoided a single one of friendship towards myself, and even concluded it with the wishes 'of her who *once* took pleasure in subscribing herself your friend, Abigail Adams.' Unpromising as was the complexion of this letter, I determined to make an effort towards removing the clouds from between us. This brought on a correspondence which I now enclose for your perusal, after which be so good as to return it to me, as I have never communicated it to any mortal breathing, before. I send it to you, to convince you I have not been wanting either in the desire or the endeavour to remove this misunderstanding. Indeed, I thought it highly disgraceful to us both, as indicating minds not sufficiently elevated to prevent a public competition from affecting our personal friendship. I soon found from the correspondence that conciliation was desperate, and yielding to an intimation in her last letter, I ceased from further explanation. I have the same good opinion of Mr. Adams which I ever had. I know him to be an honest man, an able one with his pen, and he was a powerful advocate on the floor of Congress. He has been alienated from me, by belief in the lying suggestions contrived for electioneering purposes, that I perhaps mixed in the activity and intrigues of the occasion. My most intimate friends can testify that I was perfectly passive. They would sometimes, indeed, tell me what was going on; but no man ever heard me take part in such conversations; and none ever misrepresented Mr. Adams in my presence, without my asserting his just character. With very confidential persons I have doubtless disapproved of the principles and practices of his administration. This was unavoidable. But never with those with whom it could do him any injury. Decency would have required this conduct from me, if disposition had not: and I am satisfied Mr. Adams's conduct was equally honourable towards me. But I think it part of his character to suspect foul play in those of whom he is jealous, and not easily to relinquish his suspicions.

I have gone, my dear friend, into these details, that you might know every thing which had passed between us, might be fully possessed of the state of facts and dispositions, and judge for yourself whether they admit a revival of that friendly intercourse for which you are so kindly solicitous. I shall certainly not be wanting in any thing on my part which may second your efforts; which will be the easier with me, inasmuch as I do not entertain a sentiment of Mr. Adams, the expression of which could give him reasonable offence. And I submit the whole to yourself, with the assurance, that whatever be the issue, my friendship and respect for yourself will remain unaltered and unalterable.

TH. JEFFERSON.

TO M. D. DESTUTT TRACY.

Monticello, January 26, 1811.

SIR,

The length of time your favour of June the 12th, 1809, was on its way to me, and my absence from home the greater part of the autumn, delayed very much the pleasure which awaited me of reading the packet which accompanied it. I cannot express to you the satisfaction which I received from its perusal. I had, with the world, deemed Montesquieu's a work of much merit; but saw in it, with every thinking man, so much of paradox, of false principle, and misapplied fact, as to render its value equivocal on the whole. Williams and others had nibbled only at its errors. A radical correction of them, therefore, was a great desideratum. This want is now supplied, and with a depth of thought, precision of idea, of language, and of logic, which will force conviction into every mind. I declare to you, Sir, in the spirit of truth and sincerity, that I consider it the most precious gift the present age has received. But what would it have been, had the author, or would the author, take up the whole scheme of Montesquieu's work, and, following the correct analysis he has here developed, fill up all its parts according to his sound views of them? Montesquieu's celebrity would be but a small portion of that which would immortalise the author. And with whom? With the rational and high minded spirits of the present and all future ages,—with those whose approbation is both incitement and reward to virtue and ambition. Is then the hope desperate? To what object can the occupations of his future life be devoted so usefully to the world, so splendidly to himself? But I must leave to others who have higher claims on his attention, to press these considerations.

My situation, far in the interior of the country, was not favourable to the object of getting this work translated and printed, Philadelphia is the least distant of the great towns of our States, where there exists any enterprise in this way; and it was not till the spring following the receipt of your letter, that I obtained an arrangement for its execution. The translation is just now completed. The sheets came to me by post, from time to time, for revisal; but not being accompanied by the original, I could not judge of verbal accuracies. I think, however, it is substantially correct, without being an adequate representation of the excellencies of the original; as indeed no translation can be. I found it impossible to give it the appearance of an original composition in our language. I therefore think it best to divert inquiries after the author towards a quarter where he will not be found; and with this view, propose to prefix the prefatory epistle now inclosed. As soon as a copy of the work can be had, I will send it to you by duplicate. The secret of the author will be faithfully preserved during his and my joint lives; and those into whose hands my papers will fall at my death will be equally worthy of confidence. When the death of the author, or his living consent, shall permit the world to know their benefactor, both his and my papers will furnish the evidence. In the mean time, the many important truths the work so solidly establishes, will, I hope, make it the political rudiment of the young, and manual of our older citizens.

One of its doctrines, indeed, the preference of a plural over a singular executive, will probably not be assented to here. When our present government was first established, we had many doubts on this question, and many leanings towards a supreme executive council. It happened that at that time the experiment of such an one was commenced in France, while the single executive was under trial here. We watched the motions and effects of these two rival plans, with an interest and anxiety proportioned to the importance of a choice between them. The experiment in France failed after a short course, and not from any circumstance peculiar to the times or nation, but from those internal jealousies and dissensions in the Directory, which will ever arise among men equal in power, without a principle to decide and control their differences. We had tried a similar experiment in 1784, by establishing a committee of the States, composed of a member from every State, then thirteen, to exercise the executive functions during the recess of Congress. They fell immediately into schisms and dissensions, which became at length so inveterate as to render all co-operation among them impracticable: they dissolved themselves, abandoning the helm of government, and it continued without a head, until Congress met the ensuing winter. This was then imputed to the temper of two or three individuals; but the wise ascribed it to the nature of man. The failure of the French Directory, and from the same cause, seems to have authorised a belief that the form of a plurality, however promising in theory, is impracticable with men constituted with the ordinary passions. While the tranquil and steady tenor of our single executive, during a course of twenty-two years of the most tempestuous times the history of the world has ever presented, gives a rational hope that this important problem is at length solved. Aided by the counsels of a cabinet of heads of departments, originally four, but now five, with whom the President consults, either singly or all together, he has the benefit of their wisdom and information, brings their views to one centre, and produces an unity of action and direction in all the branches of the government. The excellence of this construction of the executive power has already manifested itself here under very opposite circumstances. During the administration of our first President, his cabinet of four members was equally divided, by as marked an opposition of principle, as monarchism and republicanism could bring into conflict. Had that cabinet been a directory, like positive and negative quantities in Algebra, the opposing wills would have balanced each other, and produced a state of absolute inaction. But the President heard with calmness the opinions and reasons of each, decided the course to be pursued, and kept the government steadily in it, unaffected by the agitation. The public knew well the dissensions of the cabinet, but never had an uneasy thought on their account; because they knew also they had provided a regulating power, which would keep the machine in steady movement. I speak with an intimate knowledge of these scenes, *quorum pars fui*, as I may of others of a character entirely opposite. The third administration, which was of eight years, presented an example of harmony in a cabinet of six persons, to which perhaps history has furnished no parallel. There never arose, during the whole time, an instance of an unpleasant thought or word between the members. We sometimes met under differences of opinion, but scarcely ever failed, by conversing and reasoning, so to modify each other's ideas, as to produce an unanimous result. Yet, able and amiable as these members were, I am not certain this would have been the case, had each possessed equal and independent powers. Ill defined limits of their respective departments, jealousies, trifling at first, but nourished and strengthened by repetition of occasions, intrigues without doors of designing persons to build an importance to themselves on the divisions of others, might, from small beginnings, have produced persevering oppositions. But the power of decision in the President left no object for internal dissension, and external intrigue was stifled in embryo by the knowledge which incendiaries possessed, that no divisions they could foment would change the course of the executive power. I am not conscious that my participations in executive authority have produced any bias in favour of the single executive; because the parts I have acted have been in the subordinate, as well as superior stations, and because, if I know myself, what I have felt, and what I have wished, I know that I have never been so well pleased, as when I could shift power from my own, on the shoulders of others; nor have I ever been able to conceive how any rational being could propose happiness to himself from the exercise of power over others.

I am still, however, sensible of the solidity of your principle, that, to insure the safety of the public liberty, its depository should be subject to be changed with the greatest ease possible, and without suspending or disturbing for a moment the movements of the machine of government. You apprehend that a single executive, with eminence of talent, and destitution of principle, equal to the object, might, by usurpation, render his powers hereditary. Yet I think history furnishes as many examples of a single usurper arising out of a government by a plurality, as of temporary trusts of power in a single hand rendered permanent by usurpation. I do not believe, therefore, that this danger is lessened in the hands of a plural executive. Perhaps it is greatly increased, by the state of inefficiency to which they are liable from feuds and divisions among themselves. The conservative body you propose might be so constituted, as, while it would be an admirable sedative in a variety of smaller cases, might also be a valuable sentinel and check on the liberticide views of an ambitious individual. I am friendly to this idea. But the true barriers of our liberty in this country are our State governments. and the wisest conservative power ever contrived by man, is that of which our Revolution and present government found us possessed. Seventeen distinct States, amalgamated into one as to their foreign concerns, but single and independent as to their internal administration, regularly organized with a legislature and governor resting on the choice of the people, and enlightened by a free press, can never be so fascinated by the arts of one man, as to submit voluntarily to his usurpation. Nor can they be constrained to it by any force he can possess. While that may paralyse the single State in which it happens to be encamped, sixteen others, spread over a country of two thousand miles diameter, rise up on every side, ready organized for deliberation by a constitutional legislature, and for action by their governor, constitutionally the commander of the militia of the State, that is to say, of every man in it, able to bear arms; and that militia, too, regularly formed into regiments and battalions, into infantry, cavalry, and artillery, trained under officers general and subordinate, legally appointed, always in readiness, and to whom they are already in habits of obedience. The republican government of France was lost without a struggle, because the party of '*un et indivisible*' had prevailed: no provincial organizations existed to which the people might rally under authority of the laws, the seats of the directory were virtually vacant, and a small force sufficed to turn the legislature out of their chamber, and to salute its leader chief of the nation. But with us, sixteen out of seventeen States rising in mass, under regular organization, and legal commanders, united in object and action by their Congress, or, if that be in *duresse*, by a special convention, present such obstacles to an usurper as forever to stifle ambition in the first conception of that object.

Dangers of another kind might more reasonably be apprehended from this perfect and distinct organization, civil and military, of the States; to wit, that certain States from local and occasional discontents, might attempt to secede from the Union. This is certainly possible; and would be befriended by this regular organization. But it is not probable that local discontents can spread to such an extent, as to be able to face the sound parts of so extensive an union: and if ever they should reach the majority, they would then become the regular government, acquire the ascendancy in Congress, and be able to redress their own grievances by laws peaceably and constitutionally passed. And even the States in which local discontents might engender a commencement of fermentation, would be paralysed and self-checked by that very division into parties into which we have fallen, into which all States must fall wherein men are at liberty to think, speak, and act freely, according to the diversities of their individual conformations, and which are, perhaps, essential to preserve the purity of the government, by the censorship which these parties habitually exercise over each other.

You will read, I am sure, with indulgence, the explanations of the grounds on which I have ventured to form an opinion differing from yours. They prove my respect for your judgment, and diffidence of my own, which have forbidden me to retain, without examination, an opinion questioned by you. Permit me now to render my portion of the general debt of gratitude, by acknowledgments in advance for the singular benefaction which is the subject of this letter, to tender my wishes for the continuance of a life so usefully employed, and to add the assurances of my perfect esteem and respect.

TH. JEFFERSON.

TO COLONEL MONROE.

Monticello, May 5, 1811.

DEAR SIR,

Your favour on your departure from Richmond came to hand in due time. Although I may not have been among the first, I am certainly with the sincerest, who congratulate you on your re-entrance into the national councils. Your value there has never been unduly estimated by those whom personal feelings did not misguide. The late misunderstandings at Washington have been a subject of real concern to me. I know that the dissolutions of personal friendships are among the most painful occurrences in human life. I have sincere esteem for all who have been affected by them, having passed with them eight years of great harmony and affection. These incidents are rendered more distressing in our country than elsewhere, because our printers ravin on the agonies of their victims, as wolves do on the blood of the lamb. But the printers and the public are very different personages. The former may lead the latter a little out of their track, while the deviation is insensible: but the moment they usurp their direction and that of their government, they will be reduced to their true places. The two last Congresses have been the theme of the most licentious reprobation for printers thirsting after war, some against France, and some against England. But the people wish for peace with both. They feel no incumbency on them to become the reformers of the other hemisphere, and to inculcate, with fire and sword, a return to moral order. When, indeed, peace shall become more losing than war, they may owe to their interests, what these Quixotes are clamouring for on false estimates of honour. The public are unmoved by these clamours, as the re-election of their legislators shews, and they are firm to their executive on the subject of the more recent clamours.

We are suffering here, both in the gathered and the growing crop. The lowness of the river, and the great quantity of produce brought to Milton this year, render it almost impossible to get our crops to market. This is the case of mine as well as yours: and the Hessian fly appears alarmingly in our growing crop. Every thing is in distress for the want of rain.

Present me respectfully to Mrs. Monroe, and accept yourself assurances of my constant and affectionate esteem.

TH. JEFFERSON.

TO GENERAL DEARBORNE.

Poplar Forest, August, 14, 1811.

DEAR GENERAL AND FRIEND,

* * * * * *

I am happy to learn that your own health is good, and I hope it will long continue so. The friends we left behind us have fallen out by the way. I sincerely lament it, because I sincerely esteem them all, and because it multiplies schisms where harmony is safety. As far as I have been able to judge, however, it has made no sensible impression against the government. Those who were murmuring before, are a little louder now; but the mass of our citizens is firm and unshaken. It furnishes, as an incident, another proof that they are perfectly equal to the purposes of self-government, and that we have nothing to fear for its stability. The spirit, indeed, which manifests itself among the tories of your quarter, although I believe there is a majority there sufficient to keep it down in peaceable times, leaves me not without some disquietude. Should the determination of England, now formally expressed, to take possession of the ocean, and to suffer no commerce on it but through her ports, force a war upon us, I foresee a possibility of a separate treaty between her and your Essex men, on the principles of neutrality and commerce. Pickering here, and his nephew Williams there, can easily negotiate this. Such a lure to the quietists in our ranks with you, might recruit theirs to a majority. Yet, excluded as they would be from intercourse with the rest of the Union and of Europe, I scarcely see the gain they would propose to themselves, even for the moment. The defection would certainly disconcert the other States, but it could not ultimately endanger their safety. They are adequate, in all points, to a defensive war. However, I hope your majority, with the aid it is entitled to, will save us from this trial, to which I think it possible we are advancing. The death of George may come to our relief; but I fear the dominion of the sea is the insanity of the nation itself also. Perhaps, if some stroke of fortune were to rid us at the same time from the Mammoth of the land as well as the Leviathan of the ocean, the people of England might lose their fears, and recover their sober senses again. Tell my old friend, Governor Gerry, that I gave him glory for the rasping with which he rubbed down his herd of traitors.

Let them have justice, and protection against personal violence, but no favour. Powers and pre-eminences conferred on them, are daggers put into the hands of assassins, to be plunged into our own bosoms in the moment the thrust can go home to the heart. Moderation can never reclaim them. They deem it timidity, and despise, without fearing, the tameness from whence it flows. Backed by England, they never lose the hope that their day is to come, when the terrorism of their earlier power is to be merged in the more gratifying system of deportation and the guillotine. Being now *hors de combat* myself, I resign to others these cares. A long attack of rheumatism has greatly enfeebled me, and warns me that they will not very long be within my ken. But you may have to meet the trial, and in the focus of its fury. God send you a safe deliverance, a happy issue out of all afflictions, personal and public, with long life, long health, and friends, as sincerely attached as yours affectionately,

TH. JEFFERSON.

TO DOCTOR BENJAMIN RUSH.

Poplar Forest, December 5, 1811.

DEAR SIR,

While at Monticello I am so much engrossed by business or society, that I can only write on matters of strong urgency. Here I have leisure, as I have every where the disposition, to think of my friends. I recur, therefore, to the subject of your kind letters relating to Mr. Adams and myself, which a late occurrence has again presented to me. I communicated to you the correspondence which had parted Mrs. Adams and myself, in proof that I could not give friendship in exchange for such sentiments as she had recently taken up towards myself, and avowed and maintained in her letters to me. Nothing but a total renunciation of these could admit a reconciliation, and that could be cordial only in proportion as the return to antient opinions was believed sincere. In these jaundiced sentiments of hers I had associated Mr. Adams, knowing the weight which her opinions had with him, and notwithstanding she declared in her letters that they were not communicated to him. A late incident has satisfied me that I wronged him as well as her, in not yielding entire confidence to this assurance on her part. Two of the Mr. ——'s, my neighbours and friends, took a tour to the northward during the last summer. In Boston they fell into company with Mr. Adams, and by his invitation passed a day with him at Braintree. He spoke out to them every thing which came uppermost, and as it occurred to his mind, without any reserve; and seemed most disposed to dwell on those things which happened during his own administration. He spoke of his *masters*, as he called his heads of departments, as acting above his control, and often against his opinions. Among many other topics, he adverted to the unprincipled licentiousness of the press against myself, adding, 'I always loved Jefferson, and still love him.'

This is enough for me. I only needed this knowledge to revive towards him all the affections of the most cordial moments of our lives. Changing a single word only in Dr. Franklin's character of him, I knew him to be always an honest man, often a great one, but sometimes incorrect and precipitate in his judgments: and it is known to those who have ever heard me speak of Mr. Adams, that I have ever done him justice myself, and defended him when assailed by others, with the single exception as to his political opinions. But with a man possessing so many other estimable qualities, why should we be dissocialised by mere differences of opinion in politics, in religion, in philosophy, or any thing else? His opinions are as honestly formed as my own. Our different views of the same subject are the result of a difference in our organization and experience. I never withdrew from the society of any man on this account, although many have done it from me; much less should I do it from one with whom I had gone through, with hand and heart, so many trying scenes. I wish, therefore, but for an apposite occasion to express to Mr. Adams my unchanged affections for him. There is an awkwardness which hangs over the resuming a correspondence so long discontinued, unless something could arise which should call for a letter. Time and chance may perhaps generate such an occasion, of which I shall not be wanting in promptitude to avail myself. From this fusion of mutual affections, Mrs. Adams is of course separated. It will only be necessary that I never name her. In your letters to Mr. Adams, you can, perhaps, suggest my continued cordiality towards him, and knowing this, should an occasion of writing first present itself to him, he will perhaps avail himself of it, as I certainly will, should it first occur to me. No ground for jealousy now existing, he will certainly give fair play to the natural warmth of his heart. Perhaps I may open the way in some letter to my old friend Gerry, who I know is in habits of the greatest intimacy with him.

I have thus, my friend, laid open my heart to you, because you were so kind as to take an interest in healing again revolutionary affections, which have ceased in expression only, but not in their existence.

God ever bless you, and preserve you in life and health.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, January 21, 1812.

DEAR SIR,

I thank you before hand (for they are not yet arrived) for the specimens of homespun you have been so kind as to forward me by post. I doubt not their excellence, knowing how far you are advanced in these things in your quarter. Here we do little in the fine way, but in coarse and middling goods a great deal. Every family in the country is a manufactory within itself, and is very generally able to make within itself all the stouter and middling stuffs for its own clothing and household use. We consider a sheep for every person in the family as sufficient to clothe it, in addition to the cotton, hemp, and flax, which we raise ourselves. For fine stuff we shall depend on your northern manufactories. Of these, that is to say, of company establishments, we have none. We use little machinery. The spinning jenny, and loom, with the flying shuttle, can be managed in a family; but nothing more complicated. The economy and thriftiness resulting from our household manufactures are such that they will never again be laid aside; and nothing more salutary for us has ever happened than the British obstructions to our demands for their manufactures. Restore free intercourse when they will, their commerce with us will have totally changed its form, and the articles we shall in future want from them will not exceed their own consumption of our produce.

A letter from you calls up recollections very dear to my mind. It carries me back to the times when, beset with difficulties and dangers, we were fellow labourers in the same cause, struggling for what is most valuable to man, his right of self-government. Labouring always at the same oar, with some wave ever ahead threatening to overwhelm us, and yet passing harmless under our bark, we knew not how, we rode through the storm with heart and hand, and made a happy port. Still we did not expect to be without rubs and difficulties; and we have had them. First the detention of the western posts: then the coalition of Pilnitz, outlawing our commerce with France, and the British enforcement of the outlawry. In your day, French depredations: in mine, English, and the Berlin and Milan decrees: now, the English orders of council, and the piracies they authorize. When these shall be over, it will be the impressment of our seamen, or something else: and so we have gone on, and so we shall go on, puzzled and prospering beyond example in the history of man. And I do believe we shall continue to growl, to multiply, and prosper, until we exhibit an association, powerful, wise, and happy, beyond what has yet been seen by men. As for France and England, with all their pre-eminence in science, the one is a den of robbers, and the other of pirates. And if science produces no better fruits than tyranny, murder, rapine, and destitution of national morality, I would rather wish our country to be ignorant, honest, and estimable, as our neighbouring savages are. But whither is senile garrulity leading me? Into politics, of which I have taken final leave. I think little of them, and say less. I have given up newspapers in exchange for Tacitus and Thucydides, for Newton and Euclid, and I find myself much the happier. Sometimes, indeed, I look back to former occurrences, in remembrance of our old friends and fellow labourers, who have fallen before us. Of the signers of the Declaration of Independence, I see now living not more than half a dozen on your side of the Potomac, and, on this side, myself alone. You and I have been wonderfully spared, and myself with remarkable health, and a considerable activity of body and mind. I am on horseback three or four hours every day; visit three or four times a year a possession I have ninety miles distant, performing the winter journey on horseback. I walk little, however, a single mile being too much for me; and I live in the midst of my grandchildren, one of whom has lately promoted me to be a great grandfather. I have heard with pleasure that you also retain good health, and a greater power of exercise in walking than I do. But I would rather have heard this from yourself, and that, writing a letter like mine, full of egotisms, and of details of your health, your habits, occupations, and enjoyments, I should have the pleasure of knowing, that, in the race of life, you donot keep, in its physical decline, the same distance ahead of me, which you have done in political honours and achievements. No circumstances have lessened the interest I feel in these particulars respecting yourself; none have suspended for one moment my sincere esteem for you; and I now salute you with unchanged affection and respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, April 20, 1812.

DEAR SIR,

I have it now in my power to send you a piece of homespun in return for that I received from you. Not of the fine texture, or delicate character of yours, or, to drop our metaphor, not filled as that was with that display of imagination which constitutes excellence in Belles Lettres, but a mere sober, dry, and formal piece of logic. *Ornari res ipsa negat.* Yet you may have enough left of your old taste for law reading, to cast an eye over some of the questions it discusses. At any rate, accept it as the offering of esteem and friendship.

You wish to know something of the Richmond and Wabash prophets. Of Nimrod Hews I never before heard. Christopher Macpherson I have known for twenty years. He is a man of colour, brought up as a book-keeper by a merchant, his master, and afterwards enfranchised. He had understanding enough to post up his ledger from his journal, but not enough to bear up against hypochondriac affections, and the gloomy forebodings they inspire. He became crazy, foggy, his head always in the clouds, and rhapsodizing what neither himself nor any one else could understand. I think he told me he had visited you personally while you were in the administration, and wrote you letters, which you have probably forgotten in the mass of the correspondences of that crazy class, of whose complaints, and terrors, and mysticisms, the several Presidents have been the regular depositories. Macpherson was too honest to be molested by any body, and too inoffensive to be a subject for the mad-house; although, I believe we are told in the old book, that ‘every man that is mad, and maketh himself a prophet, thou shouldst put him in prison and in the stocks.’

The Wabash prophet is a very different character, more rogue than fool, if to be a rogue is not the greatest of all follies. He arose to notice while I was in the administration, and became, of course, a proper subject of inquiry for me. The inquiry was made with diligence. His declared object was the reformation of his red brethren, and their return to their pristine manner of living. He pretended to be in constant communication with the Great Spirit; that he was instructed by him to make known to the Indians; that they were created by him distinct from the whites, of different natures, for different purposes, and placed under different circumstances, adapted to their nature and destinies; that they must return from all the ways of the whites to the habits and opinions of their forefathers; they must not eat the flesh of hogs, of bullocks, of sheep, &c., the deer and buffalo having been created for their food; they must not make bread of wheat, but of Indian corn; they must not wear linen nor woollen, but dress like their fathers in the skins and furs of animals; they must not drink ardent spirits: and I do not remember whether he extended his inhibitions to the gun and gunpowder, in favour of the bow and arrow. I concluded from all this that he was a visionary, enveloped in the clouds of their antiquities, and vainly endeavouring to lead back his brethren to the fancied beatitudes of their golden age. I thought there was little danger of his making many proselytes from the habits and comforts they had learned from the whites, to the hardships and privations of savagism, and no great harm if he did. We let him go on, therefore, unmolested. But his followers increased till the English thought him worth corruption, and found him corruptible. I suppose his views were then changed; but his proceedings in consequence of them were after I left the administration, and are, therefore, unknown to me; nor have I ever been informed what were the particular acts on his part, which produced an actual commencement of hostilities on ours. I have no doubt, however, that his subsequent proceedings are but a chapter apart, like that of Henry and Lord Liverpool, in the book of the Kings of England.

Of this mission of Henry, your son had got wind in the time of the embargo, and communicated it to me. But he had learned nothing of the particular agent, although, of his workings, the information he had obtained appears now to have been correct. He stated a particular which Henry has not distinctly brought forward, which was, that the eastern States were not to be required to make a formal act of separation from the Union, and to take a part in the war against it; a measure deemed much too strong for their people: but to declare themselves in a state of neutrality, in consideration of which they were to have peace and free commerce, the lure most likely to insure popular acquiescence. Having no indications of Henry as the intermediate in this negotiation of the Essex junto, suspicions fell on Pickering, and his nephew Williams in London. If he was wronged in this, the ground of the suspicion is to be found in his known practices and avowed opinions, as that of his accomplices in the sameness of sentiment and of language with Henry, and subsequently by the fluttering of the wounded pigeons.

This letter, with what it incloses, has given you enough, I presume, of law and the prophets. I will only add to it, therefore, the homage of my respects to Mrs. Adams, and to yourself the assurances of affectionate esteem and respect.

TH. JEFFERSON.

TO JAMES MAURY.

Monticello, April 25, 1812.

MY DEAR AND ANTIENT FRIEND AND CLASSMATE,

Often has my heart smote me for delaying acknowledgments to you, receiving, as I do, such frequent proofs of your kind recollection in the transmission of papers to me. But instead of acting on the good old màxim of not putting off to-morrow what we can do to-day, we are too apt to reverse it, and not to do to-day what we can put off to to-morrow. But this duty can be no longer put off. To-day we are at peace; to-morrow war. The curtain of separation is drawing between us, and probably will not be withdrawn till one, if not both of us, will be at rest with our fathers. Let me now, then, while I may, renew to you the declarations of my warm attachment, which in no period of life has ever been weakened, and seems to become stronger as the remaining objects of our youthful affections are fewer.

Our two countries are to be at war, but not you and I. And why should our two countries be at war, when by peace we can be so much more useful to one another? Surely the world will acquit our government of having sought it. Never before has there been an instance of a nation's bearing so much as we have borne. Two items alone in our catalogue of wrongs will forever acquit us of being the aggressors; the impressment of our seamen, and the excluding us from the ocean. The first foundations of the social compact would be broken up, were we definitively to refuse to its members the protection of their persons and property, while in their lawful pursuits. I think the war will not be short, because the object of England, long obvious, is to claim the ocean as her domain, and to exact transit duties from every vessel traversing it. This is the sum of her orders of council, which were only a step in this bold experiment, never meant to be retracted if it could be permanently maintained. And this object must continue her in war with all the world. To this I see no termination, until her exaggerated efforts, so much beyond her natural strength and resources, shall have exhausted her to bankruptcy. The approach of this crisis is, I think, visible in the departure of her precious metals, and depreciation of her paper medium. We, who have gone through that operation, know its symptoms, its course, and consequences. In England they will be more serious than elsewhere, because half the wealth of her people is now in that medium, the private revenue of her money holders, or rather of her paper holders, being, I believe, greater than that of her land holders. Such a proportion of property, imaginary and baseless as it is, cannot be reduced to vapour, but with great explosion. She will rise out of its ruins, however, because her lands, her houses, her arts will remain, and the greater part of her men. And these will give her again that place among nations which is proportioned to her natural means, and which we all wish her to hold. We believe that the just standing of all nations is the health and security of all. We consider the overwhelming power of England on the ocean, and of France on the land, as destructive of the prosperity and happiness of the world, and wish both to be reduced only to the necessity of observing moral duties. We believe no more in Buonaparte's fighting merely for the liberty of the seas, than in Great Britain's fighting for the liberties of mankind. The object of both is the same, to draw to themselves the power, the wealth, and the resources of other nations. We resist the enterprizes of England first, because they first come vitally home to us. And our feelings repel the logic of bearing the lash of George III. for fear of that of Buonaparte at some future day. When the wrongs of France shall reach us with equal effect, we shall resist them also. But one at a time is enough: and having offered a choice to the champions, England first takes up the gauntlet.

The English newspapers suppose me the personal enemy of their nation. I am not so. I am an enemy to its injuries, as I am to those of France. If I could permit myself to have national partialities, and if the conduct of England would have permitted them to be directed towards her, they would have been so. I thought that in the administration of Mr. Addington, I discovered some dispositions towards justice, and even friendship and respect for us, and began to pave the way for cherishing these dispositions, and improving them into ties of mutual good will. But we had then a federal minister there, whose dispositions to believe himself, and to inspire others with a belief, in our sincerity, his subsequent conduct has brought into doubt; and poor Merry, the English minister here, had learned nothing of diplomacy but its suspicions, without head enough to distinguish when they were misplaced. Mr. Addington and Mr. Fox passed away too soon to avail the two countries of their dispositions. Had I been personally hostile to England, and biassed in favour of either the character or views of her great antagonist, the affair of the Chesapeake put war into my hand. I had only to open it, and let havoc loose. But if ever I was gratified with the possession of power, and of the confidence of those who had entrusted me with it, it was on that occasion, when I was enabled to use both for the prevention of war, towards which the torrent of passion here was directed almost irresistibly, and when not another person in the United States, less supported by authority and favour, could have resisted it. And now that a definitive adherence to her impressments and orders of council renders war no longer avoidable, my earnest prayer is, that our government may enter into no compact of common cause with the other belligerent, but keep us free to make a separate peace, whenever England will separately give us peace, and future security. But Lord Liverpool is our witness, that this can never be but by her removal from our neighbourhood.

I have thus, for a moment, taken a range into the field of politics, to possess you with the view we take of things here. But in the scenes which are to ensue, I am to be but a spectator. I have withdrawn myself from all political intermeddlings, to indulge the evening of my life with what have been the passions of every portion of it, books, science, my farms, my family and friends. To these every hour of the day is now devoted. I retain a good activity of mind, not quite as much of body, but uninterrupted health. Still the hand of age is upon me. All my old friends are nearly gone. Of those in my neighbourhood, Mr. Divers and Mr. Lindsay alone remain. If you could make it a partie quarrée, it would be a comfort indeed. We would beguile our lingering hours with talking over our youthful exploits, our hunts on Peter's Mountain, with a long train of *et cetera*, in addition, and feel, by recollection at least, a momentary flash of youth. Reviewing the course of a long and sufficiently successful life, I find in no portion of it happier moments than those were. I think the old hulk in which you are is near her wreck, and that, like a prudent rat, you should escape in time. However, here, there, and every where, in peace or in war, you will have my sincere affections, and prayers for your life, health, and happiness.

TH. JEFFERSON.

TO THE PRESIDENT.

Monticello, May 30, 1812.

DEAR SIR,

Another *communication* is inclosed, and the letter of the applicant is the only information I have of his qualifications. I barely remember such a person as the secretary of Mr. Adams, and messenger to the Senate while I was of that body. It enlarges the sphere of choice by adding to it a strong federalist. The triangular war must be the idea of the Anglomen and malcontents, in other words, the federalists and quids. Yet it would reconcile neither. It would only change the topic of abuse with the former, and not cure the mental disease of the latter. It would prevent our eastern capitalists and seamen from employment in privateering, take away the only chance of conciliating them, and keep them at home, idle, to swell the discontents; it would completely disarm us of the most powerful weapon we can employ against Great Britain, by shutting every port to our prizes, and yet would not add a single vessel to their number; it would shut every market to our agricultural productions, and engender impatience and discontent with that class which, in fact, composes the nation; it would insulate us in general negotiations for peace, making all the parties our opposers, and very indifferent about peace with us, if they have it with the rest of the world; and would exhibit a solecism worthy of Don Quixote only, that of a choice to fight two enemies at a time, rather than to take them by succession. And the only motive for all this is a sublimated impartiality, at which the world will laugh, and our own people will turn upon us in mass as soon as it is explained to them, as it will be by the very persons who are now laying that snare. These are the hasty views of one who rarely thinks on these subjects. Your own will be better, and I pray to them every success, and to yourself every felicity.

TH. JEFFERSON.

TO ELBRIDGE GERRY.

Monticello, June 11, 1812.

DEAR SIR,

It has given me great pleasure to receive a letter from you. It seems as if, our antient friends dying off, the whole mass of the affections of the heart survives undiminished to the few who remain. I think our acquaintance commenced in 1764, both then just of age. We happened to take lodgings in the same house in New York. Our next meeting was in the Congress of 1775, and at various times afterwards in the exercise of that and other public functions, until your mission to Europe. Since we have ceased to meet, we have still thought and acted together, '*et idem velle, atque idem nolle, ea demum amicitia est.*' Of this harmony of principle, the papers you inclosed me are proof sufficient. I do not condole with you on your release from your government. The vote of your opponents is the most honourable mark by which the soundness of your conduct could be stamped. I claim the same honourable testimonial. There was but a single act of my whole administration of which that party approved. That was the proclamation on the attack of the Chesapeake. And when I found they approved of it, I confess I began strongly to apprehend I had done wrong, and to exclaim, with the Psalmist, 'Lord, what have I done, that the wicked should praise me!'

What, then, does this English faction with you mean? Their newspapers say rebellion, and that they will not remain united with us, unless we will permit them to govern the majority. If this be their purpose, their anti-republican spirit, it ought to be met at once. But a government like ours should be slow in believing this, should put forth its whole might when necessary to suppress it, and promptly return to the paths of reconciliation. The extent of our country secures it, I hope, from the vindictive passions of the petty incorporations of Greece. I rather suspect that the principal office of the other seventeen States will be to moderate and restrain the local excitement of our friends with you, when they (with the aid of their brethren of the other States, if they need it) shall have brought the rebellious to their feet. They count on British aid. But what can that avail them by land? They would separate from their friends, who alone furnish employment for their navigation, to unite with their only rival for that employment. When interdicted the harbours of their quondam brethren, they will go, I suppose, to ask a share in the carrying trade of their rivals, and a dispensation with their navigation act. They think they will be happier in an association under the rulers of Ireland, the East and West Indies, than in an independent government, where they are obliged to put up with their proportional share only in the direction of its affairs. But I trust that such perverseness will not be that of the honest and well-meaning mass of the federalists of Massachusetts; and that when the questions of separation and rebellion shall be nakedly proposed to them, the Gores and the Pickerings will find their levees crowded with silk-stocking gentry, but no yeomanry; an army of officers without soldiers. I hope, then, all will still end well: the Anglomen will consent to make peace with their bread and butter, and you and I shall sink to rest, without having been actors or spectators in another civil war.

How many children have you? You beat me, I expect, in that count; but I you in that of our grand-children. We have not timed these things well together, or we might have begun a re-alliance between Massachusetts and the Old Dominion, faithful companions in the war of Independence, peculiarly tallied in interests, by each wanting exactly what the other has to spare; and estranged to each other, in latter times, only by the practices of a third nation, the common enemy of both. Let us live only to see this reunion, and I will say with old Simeon, 'Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.' In that peace may you long remain, my friend, and depart only in the fulness of years, all passed in health and prosperity. God bless you.

TH. JEFFERSON.

P. S. June 13. I did not condole with you on the reprobation of your opponents, because it proved your orthodoxy. Yesterday's post brought me the resolution of the republicans of Congress, to propose you as Vice President. On this I sincerely congratulate you. It is a stamp of double proof. It is a notification to the factionaries that their nay is the yea of truth, and its best test. We shall be almost within striking distance of each other. Who knows but you may fill up some short recess of Congress with a visit to Monticello, where a numerous family will hail you with a hearty country welcome.

T. J.

TO JUDGE TYLER.

Monticello, June 17, 1812.

Dear Sir,

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On the other subject of your letter, the application of the common law to our present situation, I deride with you the ordinary doctrine, that we brought with us from England the *common law rights*. This narrow notion was a favourite in the first moment of rallying to our rights against Great Britain. But it was that of men, who felt their rights before they had thought of their explanation. The truth is, that we brought with us the *rights of men*; of expatriated men. On our arrival here, the question would at once arise, by what law will we govern ourselves? The resolution seems to have been, by that system with which we are familiar, to be altered by ourselves occasionally, and adapted to our new situation. The proofs of this resolution are to be found in the form of the oaths of the judges, 1. Hening's Stat. 169, 187; of the Governor, ib. 504; in the act for a provisional government, ib. 372; in the preamble to the laws of 1661-2; the uniform current of opinions and decisions; and in the general recognition of all our statutes, framed on that basis. But the state of the English law at the date of our emigration, constituted the system adopted here. We may doubt, therefore, the propriety of quoting in our courts English authorities subsequent to that adoption; still more, the admission of authorities posterior to the Declaration of Independence, or rather to the accession of that king, whose reign, *ab initio*, was that very tissue of wrongs which rendered the Declaration at length necessary. The reason for it had inception at least as far back as the commencement of his reign. This relation to the beginning of his reign, would add the advantage of getting us rid of all Mansfield's innovations or civilizations of the common law. For, however I admit the superiority of the civil over the common law code, as a system of perfect justice, yet an incorporation of the two would be like Nebuchadnezzar's image of metals and clay, a thing without cohesion of parts. The only natural improvement of the common law, is through its homogeneous ally, the chancery, in which new principles are to be examined, concocted, and digested. But when, by repeated decisions and modifications, they are rendered pure and certain, they should be transferred by statute to the courts of common law, and placed within the pale of juries. The exclusion from the courts of the malign influence of all authorities after the *Georgium Sidus* became ascendant, would uncanonize Blackstone, whose book, although the most elegant and best digested of our law catalogue, has been perverted, more than all others, to the degeneracy of legal science. A student finds there a smattering of every thing, and his indolence easily persuades him, that if he understands that book, he is master of the whole body of the law. The distinction between these, and those who have drawn their stores from the deep and rich mines of Coke and Littleton, seems well understood even by the unlettered common people, who apply the appellation of Blackstone lawyers to these ephemeral insects of the law.

Whether we should undertake to reduce the common law, our own, and so much of the English statutes as we have adopted, to a text, is a question of transcendant difficulty. It was discussed at the first meeting of the committee of the revised code, in 1776, and decided in the negative, by the opinions of Wythe, Mason, and myself, against Pendleton and Thomas Lee. Pendleton proposed to take Blackstone for that text, only purging him of what was inapplicable, or unsuitable to us. In that case, the meaning of every word of Blackstone would have become a source of litigation, until it had been settled by repeated legal decisions. And to come at that meaning, we should have had produced, on all occasions, that very pile of authorities from which it would be said he drew his conclusion, and which, of course, would explain it, and the terms in which it is couched. Thus we should have retained the same chaos of law-lore from which we wished to be emancipated, added to the evils of the uncertainty which a new text and new phrases would have generated. An example of this may be found in the old statutes, and commentaries on them, in Coke's second institute; but more remarkably, in the institute of Justinian, and the vast masses, explanatory or supplementary of that, which fill the libraries of the civilians. We were deterred from the attempt by these considerations, added to which, the bustle of the times did not admit leisure for such an undertaking.

Your request of my opinion on this subject has given you the trouble of these observations. If your firmer mind in encountering difficulties, would have added your vote to the minority of the committee, you would have had on your side one of the greatest men of our age, and, like him, have detracted nothing from the sentiments of esteem and respect which I bore to him, and tender with sincerity the assurance of to yourself.

TH. JEFFERSON.

TO COLONEL WILLIAM DUANE.

Monticello, October 1, 1812.

DEAR SIR,

Your favour of September the 20th has been duly received, and I cannot but be gratified by the assurance it expresses, that my aid in the councils of our government would increase the public confidence in them; because it admits an inference that they have approved of the course pursued, when I heretofore bore a part in those councils. I profess, too, so much of the Roman principle, as to deem it honourable for the general of yesterday to act as a corporal to-day, if his services can be useful to his country; holding that to be false pride, which postpones the public good to any private or personal considerations. But I am past service. The hand of age is upon me. The decay of bodily faculties apprises me that those of the mind cannot be unimpaired, had I not still better proofs. Every year counts my increased debility, and departing faculties keep the score. The last year it was the sight, this it is the hearing, the next something else will be going, until all is gone. Of all this I was sensible before I left Washington, and probably my fellow-labourers saw it before I did. The decay of memory was obvious: it is now become distressing. But the mind too, is weakened. When I was young, mathematics was the passion of my life. The same passion has returned upon me, but with unequal powers. Processes which I then read off with the facility of common discourse, now cost me labour, and time, and slow investigation. When I offered this, therefore, as one of the reasons deciding my retirement from office, it was offered in sincerity and a consciousness of its truth. And I think it a great blessing that I retain understanding enough to be sensible how much of it I have lost, and to avoid exposing myself as a spectacle for the pity of my friends; that I have surmounted the difficult point of knowing when to retire. As a compensation for faculties departed, nature gives me good health, and a perfect resignation to the laws of decay, which she has prescribed to all the forms and combinations of matter.

The detestable treason of Hull has, indeed, excited a deep anxiety in all breasts. The depression was, in the first moment, gloomy and portentous. But it has been succeeded by a revived animation, and a determination to meet the occurrence with increased efforts; and I have so much confidence in the vigorous minds and bodies of our countrymen, as to be fearless as to the final issue. The treachery of Hull, like that of Arnold, cannot be matter of blame on our government. His character, as an officer of skill and bravery, was established on the trials of the last war, and no previous act of his life had led to doubt his fidelity. Whether the head of the war department is equal to his charge, I am not qualified to decide. I knew him only as a pleasant, gentlemanly man in society; and the indecision of his character rather added to the amenity of his conversation. But when translated from the colloquial circle to the great stage of national concerns, and the direction of the extensive operations of war, whether he has been able to seize, at one glance, the long line of defenceless border presented by our enemy, the masses of strength which we hold on different points of it, the facility this gave us of attacking him, on the same day, on all his points, from the extremity of the lakes to the neighbourhood of Quebec, and the perfect indifference with which this last place, impregnable as it is, might be left in the hands of the enemy to fall of itself; whether, I say, he could see and prepare vigorously for all this, or merely wrapped himself in the cloak of cold defence, I am uninformed. I clearly think, with you, on the competence of Monroe to embrace great views of action. The decision of his character, his enterprise, firmness, industry, and unceasing vigilance, would, I believe, secure, as I am sure they would merit, the public confidence, and give us all the success which our means can accomplish. If our operations have suffered or languished from any want of energy in the present head which directs them, I have so much confidence in the wisdom and conscientious integrity of Mr. Madison, as to be satisfied, that however torturing to his feelings, he will fulfil his duty to the public and to his own reputation, by making the necessary change. Perhaps he may be preparing it while we are talking about it: for of all these things I am uninformed. I fear that Hull's surrender has been more than the mere loss of a year to us. Besides bringing on us the whole mass of savage nations, whom fear, and not affection, had kept in quiet, there is danger that in giving time to an enemy who can send reinforcements of regulars faster than we can raise them, they may strengthen Canada and Halifax beyond the assailment of our lax and divided powers. Perhaps, however, the patriotic efforts from Kentucky and Ohio, by recalling the British force to its upper posts, may yet give time to Dearborne to strike a blow below. Effectual possession of the river from Montreal to the Chaudiere, which is practicable, would give us the upper country at our leisure, and close for ever the scenes of the tomahawk and scalping knife.

But these things are for others to plan and achieve. The only succour from the old, must lie in their prayers. These I offer up with sincere devotion; and in my concern for the great public, I do not overlook my friends, but supplicate for them, as I do for yourself, a long course of freedom, happiness, and prosperity.

TH. JEFFERSON.

TO MR. MELISH.

Monticello, January 13, 1813.

DEAR SIR,

I received duly your favour of December the 15th, and with it the copies of your map and travels, for which be pleased to accept my thanks. The book I have read with extreme satisfaction and information. As to the western States, particularly, it has greatly edified me; for of the actual condition of that interesting portion of our country, I had not an adequate idea. I feel myself now as familiar with it as with the condition of the maritime States. I had no conception that manufactures had made such progress there, and particulariy of the number of carding and spinning machines dispersed through the whole country. We are but beginning here to have them in our private families. Small spinning jennies, of from half a dozen to twenty spindles, will soon, however, make their way into the humblest cottages, as well as the richest houses; and nothing is more certain, than that the coarse and middling clothing for our families, will for ever hereafter continue to be made within ourselves. I have hitherto myself depended entirely on foreign manufactures: but I have now thirty-five spindles agoing, a hand carding machine, and looms with the flying shuttle, for the supply of my own farms, which will never be relinquished in my time. The continuance of the war will fix the habit generally, and out of the evils of impressment, and of the orders of council, a great blessing for us will grow. I have not formerly been an advocate for great manufactories. I doubted whether our labour, employed in agriculture, and aided by the spontaneous energies of the earth, would not procure us more than we could make ourselves of other necessaries. But other considerations entering into the question, have settled my doubts.

The candour with which you have viewed the manners and condition of our citizens, is so unlike the narrow prejudices of the French and English travellers preceding you, who, considering each the manners and habits of their own people as the only orthodox, have viewed every thing differing from that test as boorish and barbarous, that your work will be read here extensively, and operate great good.

Amidst this mass of approbation which is given to every other part of the work, there is a single sentiment which I cannot help wishing to bring to what I think the correct one; and, on a point so interesting, I value your opinion too highly not to ambition its concurrence with my own. Stating in volume one, page sixty-three, the principle of difference between the two great political parties here, you conclude it to be, 'whether the controlling power shall be vested in this or that set of men.' That each party endeavours to get into the administration of the government, and to exclude the other from power, is true, and may be stated as a motive of action; but this is only secondary, the primary motive being a real and radical difference of political principle. I sincerely wish our differences were but personally who should govern, and that the principles of our constitution were those of both parties. Unfortunately, it is otherwise; and the question of preference between monarchy and republicanism, which has so long divided mankind elsewhere, threatens a permanent division here.

Among that section of our citizens called federalists, there are three shades of opinion. Distinguishing between the *leaders* and *people* who compose it, the *leaders* consider the English constitution as a model of perfection, some, with a correction of its vices, others, with all its corruptions and abuses. This last was Alexander Hamilton's opinion, which others, as well as myself, have often heard him declare, and that a correction of what are called its vices would render the English an impracticable government. This government they wished to have established here, and only accepted and held fast, *at first*, to the present constitution as a stepping-stone to the final establishment of their favourite model. This party has therefore always clung to England as their prototype and great auxiliary in promoting and effecting this change. A weighty MINORITY, however, of these *leaders*, considering the voluntary conversion of our government into a monarchy as too distant, if not desperate, wish to break off from our Union its eastern fragment, as being, in truth, the hot-bed of American monarchism, with a view to a commencement of their favourite government, from whence the other States may gangrene by degrees, and the whole be thus brought finally to the desired point. For Massachusetts, the prime mover in this enterprise, is the last State in the Union to mean a *final* separation, as being of all the most dependent on the others. Not raising bread for the sustenance of her own inhabitants, not having a stick of timber for the construction of vessels, her principal occupation, nor an article to export in them, where would she be, excluded from the ports of the other States, and thrown into dependence on England, her direct and natural, but now insidious rival? At the head of this MINORITY is what is called the Essex Junto of Massachusetts. But the MAJORITY of these *leaders* do not aim at separation. In this they adhere to the known principle of General Hamilton, never, under any views, to break the Union. Anglomany, monarchy, and separation, then, are the principles of the Essex federalists; Anglomany and monarchy those of the Hamiltonians: and Anglomany alone that of the portion among the *people* who call themselves federalists. These last are as good republicans as the brethren whom they oppose, and differ from them only in the devotion to England and hatred of France, which they have imbibed from their leaders. The moment that these leaders should avowedly propose a separation of the Union, or the establishment of regal government, their popular adherents would quit them to a man, and join the republican standard; and the partisans of this change, even in Massachusetts, would thus find themselves an army of officers without a soldier.

The party called republican is steadily for the support of the present constitution. They obtained, at its commencement, all the amendments to it they desired. These reconciled them to it perfectly; and if they have any ulterior view, it is only, perhaps, to popularize it further by shortening the Senatorial term, and devising a process for the responsibility of judges, more practicable than that of impeachment. They esteem the people of England and France equally, and equally detest the governing powers of both.

This I verily believe, after an intimacy of forty years with the public councils and characters, is a true statement of the grounds on which they are at present divided, and that it is not merely an ambition for power. An honest man can feel no pleasure in the exercise of power over his fellow-citizens. And considering as the only offices of power those conferred by the people directly, that is to say, the executive and legislative functions of the General and State governments, the common refusal of these, and multiplied resignations, are proofs sufficient that power is not alluring to pure minds, and is not, with them, the primary principle of contest. This is my belief of it: it is that on which I have acted; and had it been a mere contest who should be permitted to administer the government according to its genuine republican principles, there has never been a moment of my life in which I should have relinquished for it the enjoyments of my family, my farm, my friends, and books.

You expected to discover the difference of our party principles in General Washington's valedictory, and my inaugural address. Not at all. General Washington did not harbour one principle of federalism. He was neither an Angloman, a monarchist, nor a separatist. He sincerely wished the people to have as much self-government as they were competent to exercise themselves. The only point on which he and I ever differed in opinion, was, that I had more confidence than he had in the natural integrity and discretion of the people, and in the safety and extent to which they might trust themselves with a control over their government. He has asseverated to me a thousand times his determination that the existing government should have a fair trial, and that in support of it he would spend the last drop of his blood. He did this the more repeatedly, because he knew General Hamilton's political bias, and my apprehensions from it. It is a mere calumny, therefore, in the monarchists, to associate General Washington with their principles. But that may have happened in this case which has been often seen in ordinary cases, that, by often repeating an untruth, men come to believe it themselves. It is a mere artifice in this party, to bolster themselves up on the revered name of that first of our worthies. If I have dwelt longer on this subject than was necessary, it proves the estimation in which I hold your ultimate opinions, and my desire of placing the subject truly before them. In so doing, I am certain I risk no use of the communication which may draw me into contention before the public. Tranquillity is the *summum bonum* of a Septagenaire.

To return to the merits of your work: I consider it as so lively a picture of the real state of our country, that if I can possibly obtain opportunities of conveyance, I propose to send a copy to a friend in France, and another to one in Italy, who, I know, will translate and circulate it as an antidote to the misrepresentations of former travellers. But whatever effect my profession of political faith may have on your general opinion, a part of my object will be obtained, if it satisfies you as to the principles of my own action, and of the high respect and consideration with which I tender you my salutations.

Th. Jefferson.

TO MADAME LA BARONNE DE STAEL-HOLSTEIN.

United States of America, May 24, 1813.

I received with great pleasure, my dear Madam and friend, your letter of November the 10th, from Stockholm, and am sincerely gratified by the occasion it gives me of expressing to you the sentiments of high respect and esteem which I entertain for you. It recals to my remembrance a happy portion of my life, passed in your native city, then the seat of the most amiable and polished society of the world, and of which yourself and your venerable father were such distinguished members. But of what scenes has it since been the theatre, and with what havoc has it overspread the earth! Robespierre met the fate, and his memory the execration, he so justly merited. The rich were his victims, and perished by thousands. It is by millions that Buonaparte destroys the poor, and he is eulogised and deified by the sycophants even of science. These merit more than the mere oblivion to which they will be consigned; and the day will come when a just posterity will give to their hero the only pre-eminence he has earned, that of having been the greatest of the destroyers of the human race. What year of his military life has not consigned a million of human beings to death, to poverty and wretchedness! What field in Europe may not raise a monument of the murders, the burnings, the desolations, the famines and miseries it has witnessed from him! And all this to acquire a reputation, which Cartouche attained with less injury to mankind, of being fearless of God or man.

To complete and universalize the desolation of the globe, it has been the will of Providence to raise up, at the same time, a tyrant as unprincipled and as overwhelming, for the ocean. Not in the poor maniac George, but in his government and nation. Buonaparte will die, and his tyrannies with him. But a nation never dies. The English government and its piratical principles and practices, have no fixed term of duration. Europe feels, and is writhing under the scorpion whips of Buonaparte. We are assailed by those of England. The one continent thus placed under the gripe of England, and the other of Buonaparte, each has to grapple with the enemy immediately pressing on itself. We must extinguish the fire kindled in our own house, and leave to our friends beyond the water that which is consuming theirs. It was not till England had taken one thousand of our ships and impressed into her service more than six thousand of our citizens; till she had declared, by the proclamation of her Prince Regent, that she would not repeal her aggressive orders *as to us*, until Buonaparte should have repealed his *as to all nations;* till her minister, in formal conference with ours, declared, that no proposition for protecting our seamen from being impressed, under colour of taking their own, was practicable or admissible; that, the door to justice and to all amicable arrangement being closed, and negotiation become both desperate and dishonourable, we concluded that the war she had been for years waging against us, might as well become a war on both sides. She takes fewer vessels from us since the declaration of war than before, because they venture more cautiously; and we now make full reprisals where before we made none. England is, in principle, the enemy of all maritime nations, as Buonaparte is of the continental; and I place in the same line of insult to the human understanding, the pretension of conquering the ocean, to establish continental rights, as that of conquering the continent, to restore maritime rights. No, my dear Madam; the object of England is the *permanent dominion of the ocean*, and the *monopoly of the trade of the world.* To secure this she must keep a larger fleet than her own resources will maintain. The resources of other nations, then, must be impressed to supply the deficiency of her own. This is sufficiently developed and evidenced by her successive strides towards the usurpation of the sea. Mark them, from her first war after William Pitt the little came into her administration. She first forbade to neutrals all trade with her enemies in time of war, which they had not in time of peace. This deprived them of their trade from port to port of the same nation. Then she forbade them to trade from the port of one nation to that of any other at war with her, although a right fully exercised in time of peace. Next, instead of taking vessels only *entering* a blockaded port, she took them over the whole ocean, if destined to that port, although ignorant of the blockade, and without intention to violate it. Then she took them returning from that port, as if infected by previous infraction of blockade. Then came her paper blockades, by which she might shut up the whole world without sending a ship to sea, except to take all those sailing on it, as they must, of course, be bound to some port. And these were followed by her orders of council, forbidding every nation to go to the port of any other, without coming first to some port of Great Britain, there paying a tribute to her, regulated by the cargo, and taking from her a license to proceed to the port of destination; which operation the vessel was to repeat with the return cargo on its way home. According to these orders, we could not send a vessel from St. Mary's to St. Augustine, distant six hours' sail, on our own coast, without crossing the Atlantic four times, twice with the outward cargo, and twice with the inward. She found this too daring and outrageous for a single step, retracted as to certain articles of commerce, but left it in force as to others which constitute important branches of our exports. And finally, that her views may no longer rest on inference, in a recent debate, her minister declared in open parliament, that the object of the present war is a *monopoly of commerce.*

In some of these atrocities, France kept pace with her fully in speculative wrong, which her impotence only shortened in practical execution. This was called retaliation by both; each charging the other with the initiation of the outrage. As if two combatants might retaliate on an innocent bystander, the blows they received from each other. To make war on both would have been ridiculous. In order, therefore, to single out an enemy, we offered to both, that if either would revoke its hostile decrees, and the other should refuse, we would interdict all intercourse whatever with that other; which would be war of course, as being an avowed departure from neutrality. France accepted the offer, and revoked her decrees as to us. England not only refused, but declared by a solemn proclamation of her Prince Regent, that she would not revoke her orders *even as to us,* until those of France should be annulled *as to the whole world.* We thereon declared war, and with abundant additional cause.

In the mean time, an examination before parliament of the ruinous effects of these orders on her own manufacturers, exposing them to the nation and to the world, their Prince issued a palinodial proclamation, *suspending* the orders on certain conditions, but claiming to renew them at pleasure, as a matter of right. Even this might have prevented the war, if done and known here before its declaration. But the sword being once drawn, the expense of arming incurred, and hostilities in full course, it would have been unwise to discontinue them, until effectual provision should be agreed to by England, for protecting our citizens on the high seas from impressment by her naval commanders, through error, voluntary or involuntary; the fact being notorious, that these officers, entering our ships at sea, under pretext of searching for their seamen, (which they have no right to do by the law or usage of nations, which they neither do, nor ever did, as to any other nation but ours, and which no nation ever before pretended to do in any case,) entering our ships, I say, under pretext of searching for and taking out their seamen, they took ours, native as well as naturalized, knowing them to be ours, merely because they wanted them; insomuch that no American could safely cross the ocean, or venture to pass by sea from one to another of our own ports. It is not long since they impressed at sea two nephews of General Washington, returning from Europe, and put them, as common seamen, under the ordinary discipline of their ships of war. There are certainly other wrongs to be settled between England and us, but of a minor character, and such as a proper spirit of conciliation on both sides would not permit to continue them at war. The sword, however, can never again be sheathed, until the personal safety of an American on the ocean, among the most important and most vital of the rights we possess, is completely provided for.

As soon as we heard of her partial repeal of her orders of council, we offered instantly to suspend hostilities by an armistice, if she would suspend her impressments, and meet us in arrangements for securing our citizens against them. She refused to do it, because impracticable by any arrangement, as she pretends; but, in truth, because a body of sixty to eighty thousand of the finest seamen in the world, which we possess, is too great a resource for manning her exaggerated navy, to be relinquished, as long as she can keep it open. Peace is in her hand, whenever she will renounce the practice of aggression on the persons of our citizens. If she thinks it worth eternal war, eternal war we must have. She alleges that the sameness of language, of manners, of appearance, renders it impossible to distinguish us from her subjects. But because we speak English, and look like them, are we to be punished? Are free and independent men to be submitted to their bondage?

England has misrepresented to all Europe this ground of the war. She has called it a new pretension, set up since the repeal of her orders of council. She knows there has never been a moment of suspension of our reclamations against it, from General Washington's time inclusive, to the present day: and that it is distinctly stated in our declaration of war, as one of its principal causes. She has pretended we have entered into the war to establish the principle of "free bottoms, free goods," or to protect her seamen against her own right over them. We contend for neither of these. She pretends we are partial to France; that we have observed a fraudulent and unfaithful neutrality between her and her enemy. She knows this to be false, and that if there has been any inequality in our proceedings towards the belligerents, it has been in her favour. Her ministers are in possession of full proofs of this. Our accepting at once, and sincerely, the mediation of the virtuous Alexander, their greatest friend, and the most aggravated enemy of Buonaparte, sufficiently proves whether we have partialities on the side of her enemy. I sincerely pray that this mediation may produce a just peace. It will prove that the immortal character, which has first stopped by war the career of the destroyer of mankind, is the friend of peace, of justice, of human happiness, and the patron of unoffending and injured nations. He is too honest and impartial to countenance propositions of peace derogatory to the freedom of the seas.

Shall I apologise to you, my dear Madam, for this long political letter? But yours justifies the subject, and my feelings must plead for the unreserved expression of them; and they have been the less reserved, as being from a private citizen, retired from all connection with the government of his country, and whose ideas, expressed without communication with any one, are neither known, nor imputable to them.

The dangers of the sea are now so great, and the possibilities of interception by sea and land such, that I shall subscribe no name to this letter. You will know from whom it comes, by its reference to the date of time and place of yours, as well as by its subject in answer to that. This omission must not lessen in your view the assurances of my great esteem, of my sincere sympathies for the share which you bear in the afflictions of your country, and the deprivations to which a lawless will has subjected you. In return, you enjoy the dignified satisfaction of having met them, rather than be yoked with the abject, to his ear: and that in withdrawing from oppression, you have followed the virtuous example of a father, whose name will ever be dear to your country and to mankind. With my prayers that you may be restored to it, that you may see it re-established in that temperate portion of liberty which does not infer either anarchy or licentiousness, in that high degree of prosperity which would be the consequence of such a government, in that, in short, which the constitution of 1789 would have insured it, if wisdom could have stayed at that point the fervid but imprudent zeal of men, who did not know the character of their own countrymen, and that you may long live in health and happiness under it, and leave to the world a well educated and virtuous representative and descendant of your honoured father, is the ardent prayer of the sincere and respectful friend who writes this letter.

TO JOHN ADAMS.

Monticello, May 27, 1813.

Another of our friends of seventy-six is gone, my dear Sir, another of the co-signers of the Independence of our country. And a better man than Rush could not have left us, more benevolent, more learned, of finer genius, or more honest. We too must go: and that ere long. I believe we are under half-a-dozen at present; I mean the signers of the Declaration. Yourself, Gerry, Carroll, and myself, are all I know to be living. I am the only one south of the Potomac. Is Robert Treat Payne, or Floyd living? It is long since I heard of them, and yet I do not recollect to have heard of their deaths.

Moreton's deduction of the origin of our Indians from the fugitive Trojans, stated in your letter of January the 26th, and his manner of accounting for the sprinkling of their Latin with Greek, is really amusing. Adair makes them talk Hebrew. Reinold Foster derives them from the soldiers sent by Kouli Khan to conquer Japan. Brerewood, from the Tartars, as well as our bears, wolves, foxes, &c. which, he says, 'must of necessity fetch their beginning from Noah's ark, which rested, after the deluge, in Asia, seeing they could not proceed by the course of nature, as the imperfect sort of living creatures do, from putrefaction.' Bernard Romans is of opinion that God created an original man and woman in this part of the globe. Doctor Barton thinks they are not specifically different from the Persians; but taking afterwards a broader range, he thinks, ‘that in all the vast countries of America, there is but one language, nay, that it may be proven, or rendered highly probable, that all the languages of the earth bear some affinity together.’ This reduces it to a question of definition, in which every one is free to use his own; to wit, what constitutes identity, or difference in two things, in the common acceptation of *sameness?* All languages may be called the same, as being all made up of the same primitive sounds, expressed by the letters of the different alphabets. But, in this sense, all things on earth are the same, as consisting of matter. This gives up the useful distribution into genera and species, which we form, arbitrarily indeed, for the relief of our imperfect memories. To aid the question, from whence our Indian tribes descended, some have gone into their religion, their morals, their manners, customs, habits, and physical forms. By such helps it may be learnedly proved, that our trees and plants of every kind, are descended from those of Europe; because, like them, they have no locomotion, they draw nourishment from the earth, they clothe themselves with leaves in spring, of which they divest themselves in autumn for the sleep of winter, &c. Our animals too, must be descended from those of Europe, because our wolves eat lambs, our deer are gregarious, our ants hoard, &c. But when, for convenience, we distribute languages, according to common understanding, into classes originally different, as we choose to consider them, as the Hebrew, the Greek, the Celtic, the Gothic; and these again into genera, or families, as the Icelandic, German, Swedish, Danish, English; and these last into species, or dialects, as English, Scotch, Irish, we then ascribe other meanings to the terms ‘same’ and ‘different.’ In some one of these senses, Barton, and Adair, and Foster, and Brerewood, and Moreton, may be right, every one according to his own definition of what constitutes ‘identity.’ Romans, indeed, takes a higher stand, and supposes a separate creation. On the same unscriptural ground, he had but to mount one step higher, to suppose no creation at all, but that all things have existed without beginning in time, as they now exist, and may for ever exist, producing and reproducing in a circle, without end. This would very summarily dispose of Mr. Moreton's learning, and shew that the question of Indian origin, like many others, pushed to a certain height, must receive the same answer, ‘Ignoro.’

You ask if the usage of hunting in circles has ever been known among any of our tribes of Indians? It has been practised by them all, and is to this day, by those still remote from the settlements of the whites. But their numbers not enabling them, like Genghis Kahn's seven hundred thousand, to form themselves into circles of one hundred miles diameter, they make their circle by firing the leaves fallen on the ground, which gradually forcing the animals to a centre, they there slaughter them with arrows, darts, and other missiles. This is called fire hunting, and has been practised in this State within my time, by the white inhabitants. This is the most probable cause of the origin and extension of the vast prairies in the western country, where the grass having been of extraordinary luxuriance, has made a conflagaration sufficient to kill even the old as well as the young timber.

I sincerely congratulate you on the successes of our little navy; which must be more gratifying to you than to most men, as having been the early and constant advocate of wooden walls. If I have differed with you on this ground, it was not on the principle, but the time; supposing that we cannot build or maintain a navy which will not immediately fall into the same gulph which has swallowed not only the minor navies, but even those of the great second rate powers of the sea. Whenever these can be resuscitated, and brought so near as to a balance with England that we can turn the scale, then is my epoch for aiming at a navy. In the mean time, one competent to keep the Barbary States in order, is necessary; these being the only smaller powers disposed to quarrel with us. But I respect too much the weighty opinions of others to be unyielding on this point, and acquiesce with the prayer '*quod felix faustumque sit;*' adding ever a sincere one for your health and happiness.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, June 15, 1813.

DEAR SIR,

I wrote you a letter on the 27th of May, which probably would reach you about the 3rd instant, and on the 9th I received yours of the 29th of May. Of Lindsay's Memoirs I had never before heard, and scarcely indeed of himself. It could not, therefore, but be unexpected, that two letters of mine should have any thing to do with his life. The name of his editor was new to me, and certainly presents itself for the first time under unfavourable circumstances. Religion, I suppose, is the scope of his book; and that a writer on that subject should usher himself to the world in the very act of the grossest abuse of confidence, by publishing private letters which passed between two friends, with no views to their ever being made public, is an instance of inconsistency as well as of infidelity, of which I would rather be the victim than the author.

By your kind quotation of the dates of my two letters, I have been enabled to turn to them. They had completely vanished from my memory. The last is on the subject of religion, and by its publication will gratify the priesthood with new occasion of repeating their comminations against me. They wish it to be believed that he can have no religion who advocates its freedom. This was not the doctrine of Priestley; and I honoured him for the example of liberality he set to his order. The first letter is political. It recals to our recollection the gloomy transactions of the times, the doctrines they witnessed, and the sensibilities they excited. It was a confidential communication of reflections on these from one friend to another, deposited in his bosom, and never meant to trouble the public mind. Whether the character of the times is justly portrayed or not, posterity will decide. But on one feature of them, they can never decide, the sensations excited in free yet firm minds by the terrorism of the day. None can conceive who did not witness them, and they were felt by one party only. This letter exhibits their side of the medal. The federalists, no doubt, have presented the other, in their private correspondences, as well as open action. If these correspondences should ever be laid open to the public eye, they will probably be found not models of comity towards their adversaries. The readers of my letter should be cautioned not to confine its view to this country alone. England and its alarmists were equally under consideration. Still less must they consider it as looking personally towards you. You happen, indeed, to be quoted, because you happened to express more pithily than had been done by themselves, one of the mottos of the party. This was in your answer to the address of the young men of Philadelphia. [See Selection of Patriotic Addresses, page 198.] One of the questions, you know, on which our parties took different sides, was on the improvability of the human mind, in science, in ethics, in government, &c. Those who advocated reformation of institutions, *pari passu* with the progress of science, maintained that no definite limits could be assigned to that progress. The enemies of reform, on the other hand, denied improvement, and advocated steady adherence to the principles, practices, and institutions of our fathers, which they represented as the consummation of wisdom, and acmé of excellence, beyond which the human mind could never advance. Although in the passage of your answer alluded to, you expressly disclaim the wish to influence the freedom of inquiry, you predict that that will produce nothing more worthy of transmission to posterity than the principles, institutions, and systems of education received from their ancestors. I do not consider this as your deliberate opinion. You possess yourself too much science, not to see how much is still ahead of you, unexplained and unexplored. Your own consciousness must place you as far before our ancestors, as in the rear of our posterity. I consider it as an expression lent to the prejudices of your friends; and although I happened to cite it from you, the whole letter shews I had them only in view. In truth, my dear Sir, we were far from considering you as the author of all the measures we blamed. They were placed under the protection of your name, but we were satisfied they wanted much of your approbation. We ascribed them to their real authors, the Pickerings, the Wolcotts, the Tracys, the Sedgwicks, *et id genus omne*, with whom we supposed you in a state of duresse. I well remember a conversation with you in the morning of the day on which you nominated to the Senate a substitute for Pickering, in which you expressed a just impatience under ‘ the legacy of Secretaries which General Washington had left you,’ and whom you seemed, therefore, to consider as under public protection. Many other incidents shewed how differently you would have acted with less impassioned advisers; and subsequent events have proved that your minds were not together. You would do me great injustice, therefore, by taking to yourself what was intended for men who were then your secret, as they are now your open enemies. Should you write on the subject, as you propose, I am sure we shall see you place yourself farther from them than from us.

As to myself, I shall take no part in any discussions. I leave others to judge of what I have done, and to give me exactly that place which they shall think I have occupied. Marshall has written libels on one side; others, I suppose, will be written on the other side; and the world will sift both, and separate the truth as well as they can. I should see with reluctance the passions of that day rekindled in this, while so many of the actors are living, and all are too near the scene not to participate in sympathies with them. About facts you and I cannot differ; because truth is our mutual guide. And if any opinions you may express should be different from mine, I shall receive them with the liberality and indulgence which I ask for my own, and still cherish with warmth the sentiments of affectionate respect of which I can with so much truth tender you the assurance.

TH. JEFFERSON.

TO JOHN W. EPPES.

Monticello, June 24, 1813.

DEAR SIR,

This letter will be on politics only. For although I do not often permit myself to think on that subject, it sometimes obtrudes itself, and suggests ideas which I am tempted to pursue. Some of these relating to the business of finance, I will hazard to you, as being at the head of that committee, but intended for yourself individually, or such as you trust, but certainly not for a mixed committee.

It is a wise rule, and should be fundamental in a government disposed to cherish its credit, and at the same time to restrain the use of it within the limits of its faculties, 'never to borrow a dollar without laying a tax in the same instant for paying the interest annually, and the principal within a given term; and to consider that tax as pledged to the creditors on the public faith.' On such a pledge as this, sacredly observed, a government may always command, on a *reasonable interest*, all the lendable money of their citizens, while the necessity of an equivalent tax is a salutary warning to them and their constituents against oppressions, bankruptcy, and its inevitable consequence, revolution.. But the term of redemption must be moderate, and at any rate, within the limits of their rightful powers. But what limits, it will be asked, does this prescribe to their powers? What is to hinder them from creating a perpetual debt? The laws of nature, I answer. The earth belongs to the living, not to the dead. The will and the power of man expire with his life, by nature's law. Some societies give it an artificial continuance, for the encouragement of industry; some refuse it, as our aboriginal neighbours, whom we call barbarians. The generations of men may be considered as bodies or corporations. Each generation has the usufruct of the earth during the period of its continuance. When it ceases to exist, the usufruct passes on to the succeeding generation, free and unincumbered, and so on, successively, from one generation to another for ever. We may consider each generation as a distinct nation, with a right, by the will of its majority, to bind themselves, but none to bind the succeeding generation, more than the inhabitants of another country. Or the case may be likened to the ordinary one of a tenant for life, who may hypothecate the land for his debts, during the continuance of his usufruct; but at his death, the reversioner (who is also for life only) receives it exonerated from all burthen. The period of a generation, or the term of its life, is determined by the laws of mortality, which, varying a little only in different climates, offer a general average, to be found by observation. I turn. for instance, to Buffon's tables, of twenty-three thousand nine hundred and ninety-four deaths, and the ages at which they happened, and I find that of the numbers of all ages living at one moment, half will be dead in twenty-four years and eight months. But (leaving out minors, who have not the power of self-government) of the adults (of twenty-one years of age) living at one moment, a majority of whom act for the society, one half will be dead in eighteen years and eight months. At nineteen years then from the date of a contract, the majority of the contractors are dead, and their contract with them. Let this general theory be applied to a particular case. Suppose the annual births of the State of New York to be twenty-three thousand nine hundred and ninety-four: the whole number of its inhabitants, according to Buffon, will be six hundred and seventeen thousand seven hundred and three, of all ages. Of these there would constantly be two hundred and sixty-nine thousand two hundred and eighty-six minors, and three hundred and forty-eight thousand four hundred and seventeen adults, of which last, one hundred and seventy-four thousand two hundred and nine will be a majority. Suppose that majority, on the 1st day of the year 1794, had borrowed a sum of money equal to the fee-simple value of the State, and to have consumed it in eating, drinking, and making merry in their day; or, if you please, in quarrelling and fighting with their unoffending neighbours. Within eighteen years and eight months, one half of the adult citizens were dead. Till then, being the majority, they might rightfully levy the interest of their debt annually on themselves and their fellow revellers, or fellow champions. But at that period, say at this moment, a new majority have come into place, in their own right, and not under the rights, the conditions, or laws of their predecessors. Are they bound to acknowledge the debt, to consider the preceding generation as having had a right to eat up the whole soil of their country in the course of a life, to alienate it from them, (for it would be an alienation to the creditors,) and would they think themselves either legally or morally bound to give up their country, and emigrate to another for subsistence? Every one will say no: that the soil is the gift of God to the living, as much as it had been to the deceased generation; and that the laws of nature impose no obligation on them to pay this debt. And although, like some other natural rights, this has not yet entered into any declaration of rights, it is no less a law, and ought to be acted on by honest governments. It is, at the same time, a salutary curb on the spirit of war and indebtment, which, since the modern theory of the perpetuation of debt, has drenched the earth with blood, and crushed its inhabitants under burthens ever accumulating. Had this principle been declared in the British bill of rights, England would have been placed under the happy disability of waging eternal war, and of contracting her thousand millions of public debt. In seeking, then, for an ultimate term for the redemption of our debts, let us rally to this principle, and provide for their payment within the term of nineteen years, at the farthest. Our government has not, as yet, begun to act on the rule of loans and taxation going hand in hand. Had any loan taken place in my time, I should have strongly urged a redeeming tax. For the loan which has been made since the last session of Congress, we should now set the example of appropriating some particular tax, sufficient to pay the interest annually, and the principal within a fixed term, less than nineteen years. And I hope yourself and your committee will render the immortal service of introducing this practice. Not that it is expected that Congress should formally declare such a principle. They wisely enough avoid deciding on abstract questions. But they may be induced to keep themselves within its limits.

I am sorry to see our loans begin at so exorbitant an interest. And yet, even at that, you will soon be at the bottom of the loan-bag. We are an agricultural nation. Such an one employs its sparings in the purchase or improvement of land or stocks. The lendable money among them is chiefly that of orphans and wards in the hands of executors and guardians, and that which the farmer lays by till he has enough for the purchase in view. In such a nation there is one and one only resource for loans, sufficient to carry them through the expense of a war; and that will always be sufficient, and in the power of an honest government, punctual in the preservation of its faith. The fund I mean, is *the mass of circulating coin.* Every one knows, that, although not literally, it is nearly true, that every paper dollar emitted banishes a silver one from the circulation. A nation, therefore, making its purchases and payments with bills fitted for circulation, thrusts an equal sum of coin out of circulation. This is equivalent to borrowing that sum, and yet the vendor receiving payment in a medium as effectual as coin for his purchases or payments, has no claim to interest. And so the nation may continue to issue its bills as far as its wants require, and the limits of the circulation will admit. Those limits are understood to extend with us, at present, to two hundred millions of dollars, a greater sum than would be necessary for any war. But this, the only resource which the government could command with certainty, the States have unfortunately fooled away, nay, corruptly alienated to swindlers and shavers, under the cover of private banks. Say, too, as an additional evil, that the disposable funds of individuals, to this great amount, have thus been withdrawn from improvement and useful enterprise, and employed in the useless, usurious, and demoralising practices of bank directors and their accomplices. In the war of 1755, our State availed itself of this fund, by issuing a paper money, bottomed on a specific tax for its redemption, and, to insure its credit, bearing an interest of five per cent. Within a very short time, not a bill of this emission was to be found in circulation. It was locked up in the chests of executors, guardians, widows, farmers, &c. We then issued bills, bottomed on a redeeming tax, but bearing no interest. These were readily received, and never depreciated a single farthing. In the revolutionary war, the old Congress and the States issued bills without interest, and without tax. They occupied the channels of circulation very freely, till those channels were overflowed by an excess beyond all the calls of circulation. But although we have so improvidently suffered the field of circulating medium to be filched from us by private individuals, yet I think we may recover it in part, and even in the whole, if the States will co-operate with us. If treasury bills are emitted on a tax appropriated for their redemption in fifteen years, and (to insure preference in the first moments of competition) bearing an interest of six per cent., there is no one who would not take them in preference to the bank paper now afloat, on a principle of patriotism as well as interest: and they would be withdrawn from circulation into private hoards to a considerable amount. Their credit once established, others might be emitted, bottomed also on a tax, but not bearing interest: and if ever their credit faltered, open public loans, on which these bills alone should be received as specie. These, operating as a sinking fund, would reduce the quantity in circulation, so as to maintain that in an equilibrium with specie. It is not easy to estimate the obstacles which, in the beginning, we should encounter in ousting the banks from their possession of the circulation: but a steady and judicious alternation of emissions and loans, would reduce them in time. But while this is going on, another measure should be pressed, to recover ultimately our right to the circulation. The States should be applied to, to transfer the right of issuing circulating paper to Congress exclusively, *in perpetuum*, if possible, but during the war at least, with a saving of charter rights. I believe that every State west and south of Connecticut river, except Delaware, would immediately do it; and the others would follow in time. Congress would, of course, begin by obliging unchartered banks to wind up their affairs within a short time, and the others as their charters expired, forbidding the subsequent circulation of their paper. This they would supply with their own, bottomed, every emission, on an adequate tax, and bearing or not bearing interest, as the state of the public pulse should indicate. Even in the non-complying States, these bills would make their way, and supplant the unfunded paper of their banks, by their solidity, by the universality of their currency, and by their receivability for customs and taxes. It would be in their power, too, to curtail those banks to the amount of their actual specie, by gathering up their paper, and running it constantly on them. The national paper might thus take place even in the non-complying States. In this way, I am not without a hope, that this great, this sole resource for loans in an agricultural country, might yet be recovered for the use of the nation during war: and, if obtained *in perpetuum*, it would always be sufficient to carry us through any war; provided, that in the interval between war and war, all the outstanding paper should be called in, coin be permitted to flow in again, and to hold the field of circulation until another war should require its yielding place again to the national medium.

But it will be asked, are we to have no banks? Are merchants and others to be deprived of the resource of short accommodations, found so convenient? I answer, let us have banks: but let them be such as are alone to be found in any country on earth, except Great Britain. There is not a bank of discount on the continent of Europe, (at least there was not one when I was there,) which offers any thing but cash in exchange for discounted bills. No one has a natural right to the trade of a money lender, but he who has the money to lend. Let those then among us, who have a monied capital, and who prefer employing it in loans rather than otherwise, set up banks, and give cash or national bills for the notes they discount. Perhaps, to encourage them, a larger interest than is legal in the other cases might be allowed them, on the condition of their lending for short periods only. It is from Great Britain we copy the idea of giving paper in exchange for discounted bills; and while we have derived from that country some good principles of government and legislation, we unfortunately run into the most servile imitation of all her practices, ruinous as they prove to her, and with the gulph yawning before us into which those very practices are precipitating her. The unlimited emission of bank paper has banished all her specie, and is now, by a depreciation acknowledged by her own statesmen, carrying her rapidly to bankruptcy, as it did France, as it did us, and will do us again, and every country permitting paper to be circulated, other than that by public authority, rigorously limited to the just measure for circulation. Private fortunes, in the present state of our circulation, are at the mercy of those self-created money lenders, and are prostrated by the floods of nominal money with which their avarice deluges us. He who lent his money to the public, or to an individual, before the institution of the United States' bank, twenty years ago, when wheat was well sold at a dollar the bushel, and receives now his nominal sum when it sells at two dollars, is cheated of half his fortune: and by whom? By the banks, which, since that, have thrown into circulation ten dollars of their nominal money where was one at that time.

Reflect, if you please, on these ideas, and use them or not as they appear to merit. They comfort me in the belief, that they point out a resource ample enough, without overwhelming war taxes, for the expense of the war, and possibly still recoverable; and that they hold up to all future time a resource within ourselves, ever at the command of government, and competent to any wars into which we may be forced. Nor is it a slight object to equallise taxes through peace and war.

* * * * * * *

Ever affectionately yours.

Th. Jefferson.

TO JOHN ADAMS.

Monticello, June 27, 1813.

Ιδαν ες πολυδενδρον ανηρ ὑλητομος ελθων
Παπταινει, παρεοντος ἁδην, ποθεν αρξεται εργω·
Τι πρατον καταλεξω; επει παρα μυρια ειπην.

And I too, my dear Sir, like the wood-cutter of Ida, should doubt where to begin, were I to enter the forest of opinions, discussions, and contentions which have occurred in our day. I should say with Theocritus, Τι πρατον καταλεξω; επει παρα μυρια ειπην. But I shall not do it. The *summum bonum* with me is now truly epicurean, ease of body and tranquillity of mind; and to these I wish to consign my remaining days. Men have differed in opinion, and been divided into parties by these opinions, from the first origin of societies; and in all governments, where they have been permitted freely to think and to speak. The same political parties which now agitate the United States, have existed through all time. Whether the power of the people, or that of the αριστοι should prevail, were questions which kept the States of Greece and Rome in eternal convulsions; as they now schismatize every people whose minds and mouths are not shut up by the gag of a despot. And in fact, the terms of whig and tory belong to natural, as well as to civil history. They denote the temper and constitution of mind of different individuals. To come to our own country, and to the times when you and I became first acquainted: we well remember the violent parties which agitated the old Congress, and their bitter contests. There you and I were together, and the Jays, and the Dickinsons, and other anti-independents were arrayed against us. They cherished the monarchy of England, and we the rights of our countrymen. When our present government was in the mew, passing from Confederation to Union, how bitter was the schism between the Feds and Antis. Here you and I were together again. For although, for a moment, separated by the Atlantic from the scene of action, I favoured the opinion that nine States should confirm the constitution, in order to secure it, and the others hold off, until certain amendments, deemed favourable to freedom, should be made. I rallied in the first instant to the wiser proposition of Massachusetts, that all should confirm, and then all instruct their delegates to urge those amendments. The amendments were made, and all were reconciled to the government. But as soon as it was put into motion, the line of division was again drawn. We broke into two parties, each wishing to give the government a different direction; the one to strengthen the most popular branch, the other the more permanent branches, and to extend their permanence. Here you and I separated for the first time: and as we had been longer than most others on the public theatre, and our names therefore were more familiar to our countrymen, the party which considered you as thinking with them, placed your name at their head; the other, for the same reason, selected mine. But neither decency nor inclination permitted us to become the advocates of ourselves, or to take part personally in the violent contests which followed. We suffered ourselves, as you so well expressed it, to be passive subjects of public discussion. And these discussions, whether relating to men, measures, or opinions, were conducted by the parties with an animosity, a bitterness, and an indecency, which had never been exceeded. All the resources of reason and of wrath were exhausted by each party in support of its own, and to prostrate the adversary opinions: one was upbraided with receiving the anti-federalists, the other the old tories and refugees, into their bosom. Of this acrimony, the public papers of the day exhibit ample testimony, in the debates of Congress, of State legislatures, of stump-orators, in addresses, answers, and newspaper essays; and to these, without question, may be added the private correspondences of individuals; and the less guarded in these, because not meant for the public eye, not restrained by the respect due to that, but poured forth from the overflowings of the heart into the bosom of a friend, as a momentary easement of our feelings. In this way, and in answers to addresses, you and I could indulge ourselves. We have probably done it, sometimes with warmth, often with prejudice, but always, as we believed, adhering to truth. I have not examined my letters of that day. I have no stomach to revive the memory of its feelings. But one of these letters, it seems, has got before the public, by accident and infidelity, by the death of one friend to whom it was written, and of his friend to whom it had been communicated, and by the malice and treachery of a third person, of whom I had never before heard, merely to make mischief, and in the same Satanic spirit, in which the same enemy had intercepted and published, in 1776, your letter animadverting on Dickinson's character. How it happened that I quoted you in my letter to Doctor Priestley, and for whom, and not for yourself, the strictures were meant, has been explained to you in my letter of the 15th, which had been committed to the post eight days before I received yours of the 10th, 11th, and 14th. That gave you the reference which these asked to the particular answer alluded to in the one to Priestley. The renewal of these old discussions, my friend, would be equally useless and irksome. To the volumes then written on these subjects, human ingenuity can add nothing new, and the rather, as lapse of time has obliterated many of the facts. And shall you and I, my dear Sir, at our age, like Priam of old, gird on the '*arma, diu desueta, trementibus ævo humeris?*' Shall we, at our age, become the Athletæ of party, and exhibit ourselves, as gladiators, in the arena of the newspapers? Nothing in the universe could induce me to it. My mind has been long fixed to bow to the judgment of the world, who will judge by my acts, and will never take counsel from me as to what that judgment shall be. If your objects and opinions have been misunderstood, if the measures and principles of others have been wrongfully imputed to you, as I believe they have been, that you should leave an explanation of them, would be an act of justice to yourself. I will add, that it has been hoped that you would leave such explanations as would place every saddle on its right horse, and replace on the shoulders of others the burthens they shifted on yours.

But all this, my friend, is offered, merely for your consideration and judgment, without presuming to anticipate what you alone are qualified to decide for yourself. I mean to express my own purpose only, and the reflections which have led to it. To me, then, it appears, that there have been differences of opinion, and party differences, from the first establishment of governments to the present day, and on the same question which now divides our own country: that these will continue through all future time: that every one takes his side in favour of the many, or of the few, according to his constitution, and the circumstances in which he is placed: that opinions, which are equally honest on both sides, should not affect personal esteem or social intercourse: that as we judge between the Claudii and the Gracchi, the Wentworths and the Hampdens of past ages, so, of those among us, whose names may happen to be remembered for a while, the next generations will judge, favourably or unfavourably, according to the complexion of individual minds, and the side they shall themselves have taken: that nothing new can be added by you or me to what has been said by others, and will be said in every age in support of the conflicting opinions on government: and that wisdom and duty dictate an humble resignation to the verdict of our future peers. In doing this myself, I shall certainly not suffer moot questions to affect the sentiments of sincere friendship and respect, consecrated to you by so long a course of time, and of which I now repeat sincere assurances.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, August 22, 1813.

DEAR SIR,

Since my letter of June the 27th. I am in your debt for many; all of which I have read with infinite delight. They open a wide field for reflection, and offer subjects enough to occupy the mind and the pen indefinitely. I must follow the good example you have set: and when I have not time to take up every subject, take up a single one. Your approbation of my outline to Dr. Priestley is a great gratification to me; and I very much suspect that if thinking men would have the courage to think for themselves, and to speak what they think, it would be found they do not differ in religious opinions, as much as is supposed. I remember to have heard Dr. Priestley say, that if all England would candidly examine themselves, and confess, they would find that Unitarianism was really the religion of all: and I observe a bill is now depending in parliament for the relief of Anti-Trinitarians. It is too late in the day for men of sincerity to pretend they believe in the Platonic mysticisms that three are one, and one is three; and yet that the one is not three, and the three are not one: to divide mankind, by a single letter, into ʽομουsians, and ʽομοιsians. But this constitutes the craft, the power, and the profit of the priests. Sweep away their gossamer fabrics of factitious religion, and they would catch no more flies. We should all then, like the Quakers, live without an order of priests, moralize for ourselves, follow the oracle of conscience, and say nothing about what no man can understand, nor therefore believe; for I suppose belief to be the assent of the mind to an intelligible proposition.

It is with great pleasure I can inform you, that Priestley finished the comparative view of the doctrines of the philosophers of antiquity, and of Jesus, before his death; and that it was printed soon after. And, with still greater pleasure, that I can have a copy of his work forwarded from Philadelphia, by a correspondent there, and presented for your acceptance, by the same mail which carries you this, or very soon after. The branch of the work which the title announces, is executed with learning and candour, as was every thing Priestley wrote: but perhaps a little hastily; for he felt himself pressed by the hand of death. The Abbé Batteux had, in fact, laid the foundation of this part in his Causes Premières; with which he has given us the originals of Ocellus and Timæus, who first committed the doctrines of Pythagoras to writing: and Enfield, to whom the Doctor refers, had done it more copiously. But he has omitted the important branch, which, in your letter of August the 9th, you say you have never seen executed, a comparison of the morality of the Old Testament with that of the New. And yet, no two things were ever more unlike. I ought not to have asked him to give it. He dared not. He would have been eaten alive by his intolerant brethren, the cannibal priests. And yet, this was really the most interesting branch of the work.

Very soon after my letter to Doctor Priestley, the subject being still in my mind, I had leisure, during an abstraction from business for a day or two, while on the road, to think a little more on it, and to sketch more fully than I had done to him, a syllabus of the matter which I thought should enter into the work. I wrote it to Doctor Rush; and there ended all my labour on the subject; himself and Doctor Priestley being the only depositories of my secret. The fate of my letter to Priestley, after his death, was a warning to me on that of Doctor Rush; and, at my request, his family were so kind as to quiet me by returning my original letter and syllabus. By this you will be sensible how much interest I take in keeping myself clear of religious disputes before the public; and especially of seeing my syllabus disembowelled by the Aruspices of the modern Paganism. Yet I inclose it *to you* with entire confidence, free to be perused by yourself and Mrs. Adams, but by no one else; and to be returned to me.

You are right in supposing, in one of yours, that I had not read much of Priestley's Predestination, his no-soul system, or his controversy with Horsley. But I have read his Corruptions of Christianity, and Early Opinions of Jesus, over and over again; and I rest on them, and on Middleton's writings, especially his letters from Rome, and to Waterland, as the basis of my own faith. These writings have never been answered, nor can be answered by quoting historical proofs, as they have done. For these facts, therefore, I cling to their learning, so much superior to my own.

I now fly off in a tangent to another subject. Marshall, in the first volume of his history, chapter 3, p. 180, ascribes the petition to the King, of 1774, (1. Journ. Cong. 67) to the pen of Richard Henry Lee. I think myself certain, it was not written by him, as well from what I recollect to have heard, as from the internal evidence of style. His was loose, vague, frothy, rhetorical. He was a poorer writer than his brother Arthur; and Arthur's standing may be seen in his Monitor's Letters, to insure the sale of which, they took the precaution of tacking to them a new edition of the Farmer's Letters; like Mezentius, who '*mortua jungebat corpora vivis.*' You were of the committee, and can tell me who wrote this petition; and who wrote the address to the inhabitants of the colonies, ib. 45. Of the papers of July, 1775, I recollect well that Mr. Dickinson drew the petition to the King, ib. 149; I think Robert R. Livingston drew the address to the inhabitants of Great Britain, ib. 152. Am I right in this? And who drew the address to the people of Ireland, ib. 180? On these questions, I ask of your memory to help mine. Ever and affectionately yours.

TH. JEFFERSON.

TO JOHN W. EPPES.

Monticello, November 6, 1813.

DEAR SIR,

I had not expected to have troubled you again on the subject of finance; but since the date of my last, I have received from Mr. Law a letter covering a memorial on that subject, which, from its tenor, I conjecture must have been before Congress at their two last sessions. This paper contains two propositions; the one for issuing treasury notes, bearing interest, and to be circulated as money; the other for the establishment of a national bank. The first was considered in my former letter; and the second shall be the subject of the present.

The scheme is for Congress to establish a national bank, suppose of thirty millions capital, of which they shall contribute ten millions in new six per cent. stock, the States ten millions, and individuals ten millions, one half of the two last contributions to be of similar stock, for which the parties are to give cash to Congress; the whole, however, to be under the exclusive management of the individual subscribers, who are to name all the directors; neither Congress nor the States having any power of interference in its administration. Discounts are to be at five per cent. but the profits are expected to be seven per cent. Congress then will be paying six per cent. on twenty millions, and receiving seven per cent. on ten millions, being its third of the institution; so that, on the ten millions cash which they receive from the States and individuals, they will, in fact, have to pay but five per cent. interest. This is the bait. The charter is proposed to be for forty or fifty years, and if any future augmentations should take place, the individual proprietors are to have the privilege of being the sole subscribers for that. Congress are further allowed to issue to the amount of three millions of notes, bearing interest, which they are to receive back in payment for lands at a premium of five or ten per cent. or as subscriptions for canals, roads, and bridges, in which undertakings they are, of course, to be engaged. This is a summary of the scheme, as I understand it; but it is very possible I may not understand it in all its parts, these schemes being always made unintelligible for the gulls who are to enter into them. The advantages and disadvantages shall be noted promiscuously as they occur; leaving out the speculation of canals, &c., which, being an episode only in the scheme, may be omitted, to disentangle it as much as we can.

1. Congress are to receive five millions from the States (if they will enter into this partnership, which few probably will), and five millions from the individual subscribers, in exchange for ten millions of six per cent. stock, one per cent. of which, however, they will make on their ten millions of stock remaining in bank, and so reduce it, in effect, to a loan of ten millions at five per cent. interest. This is good; but,

2. They authorise this bank to throw into circulation ninety millions of dollars, (three times the capital), which increases our circulating medium fifty per cent., depreciates proportionably the present value of the dollar, and raises the price of all future purchases in the same proportion.

3. This loan of ten millions, at five per cent., is to be once for all, only. Neither the terms of the scheme nor their own prudence could ever permit them to add to the circulation in the same, or any other way, for the supplies of the succeeding years of the war. These succeeding years, then, are to be left

unprovided for, and the means of doing it in a great measure precluded.

4. The individual subscribers, on paying their own five millions of cash to Congress, become the depositors of ten millions of stock belonging to Congress, five millions belonging to the States, and five millions to themselves, say twenty millions, with which, as no one has a right ever to see their books, or to ask a question, they may choose their time for running away, after adding to their booty the proceeds of as much of their own notes as they shall be able to throw into circulation.

5. The subscribers may be one, two, or three, or more individuals, (many single individuals being able to pay in the five millions), whereupon this bank oligarchy, or monarchy, enters the field with ninety millions of dollars, to direct and control the politics of the nation; and of the influence of these institutions on our politics, and into what scale it will be thrown, we have had abundant experience. Indeed, England herself may be the real, while her friend and trustee here shall be the nominal and sole subscriber.

6. This state of things is to be fastened on us, without the power of relief, for forty or fifty years. That is to say, the eight millions of people now existing, for the sake of receiving one dollar and twenty-five cents a piece at five per cent. interest, are to subject the fifty millions of people who are to succeed them within that term, to the payment of forty-five millions of dollars, principal and interest, which will be payable in the course of the fifty years.

7. But the great and national advantage is to be the relief of the present *scarcity of money*, which is produced and proved by—

1. The additional industry created to rupply a variety of articles for the troops, ammunition, &c.

2. By the cash sent to the frontiers, and the vacuum occasioned in the trading towns by that.

3. By the late loans.

4. By the necessity of recurring to shavers with *good* paper, which the existing banks are not able to take up; and

5. By the numerous applications for bank charters, shewing that an increase of circulating medium is wanting.

Let us examine these causes and proofs of the want of an increase of medium, one by one.

1. The additional industry created to supply a variety of articles for troops, ammunition, &c. Now I had always supposed that war produced a diminution of industry, by the

number of hands it withdraws from industrious pursuits, for employment in arms, &c., which are totally unproductive. And if it calls for new industry in the articles of ammunition, and other military supplies, the hands are borrowed from other branches on which the demand is slackened by the war; so that it is but a shifting of these hands from one pursuit to another.

2. The cash sent to the frontiers occasions a vacuum in the trading towns, which requires a new supply. Let us examine what are the calls for money to the frontiers. Not for clothing, tents, ammunition, arms, which are all bought in the trading towns. Not for provisions; for although these are bought partly in the intermediate country, bank bills are more acceptable there than even in the trading towns. The pay of the army calls for some cash; but not a great deal, as bank notes are as acceptable with the military men, perhaps more so; and what cash is sent must find its way back again, in exchange for the wants of the upper from the lower country. For we are not to suppose that cash stays accumulating there forever.

3. This scarcity has been occasioned by the late loans. But does the government borrow money to keep it in their coffers? Is it not instantly restored to circulation by payment for its necessary supplies? And are we to restore a vacuum of twenty millions of dollars by an emission of ninety millions?

4 The want of medium is proved by the recurrence of individuals with *good* paper to brokers at exorbitant interest; and,

5. By the numerous applications to the State governments for additional banks; New York wanting eighteen millions, Pennsylvania, ten millions, &c. But say more correctly, the speculators and spendthrifts of New York and Pennsylvania, but never consider them as being the States of New York and Pennsylvania. These two items shall be considered together.

It is a litigated question, whether the circulation of paper, rather than of specie, is a good or an evil. In the opinion of England, and of English writers, it is a good; in that of all other nations it is an evil; and excepting England and her copyist, the United States, there is not a nation existing, I believe, which tolerates a paper circulation. The experiment is going on, however, desperately in England, pretty boldly with us, and at the end of the chapter, we shall see which opinion experience approves: for I believe it to be one of those cases where mercantile clamour will bear down reason, until it is corrected by ruin. In the mean time, however, let us reason on this new call for a national bank.

After the solemn decision of Congress against the renewal of the charter of the bank of the United States, and the grounds of that decision, (the want of constitutional power,) I had imagined that question at rest, and that no more applications would be made to them for the incorporation of banks. The opposition on that ground to its first establishment, the small majority by which it was overborne, and the means practised for obtaining it, cannot be already forgotten. The law having passed, however, by a majority, its opponents, true to the sacred principle of submission to a majority, suffered the law to flow through its term without obstruction. During this, the nation had time to consider the constitutional question, and when the renewal was proposed, they condemned it, not by their representatives in Congress only, but by express instructions from different organs of their will. Here then we might stop, and consider the memorial as answered. But, setting authority apart, we will examine whether the legislature ought to comply with it, even if they had the power.

Proceeding to reason on this subject, some principles must be premised as forming its basis. The adequate price of a thing depends on the capital and labour necessary to produce it. [In the term *capital*, I mean to include science, because capital as well as labour has been employed to acquire it.] Two things requiring the same capital and labour, should be of the same price. If a gallon of wine requires for its production the same capital and labour with a bushel of wheat, they should be expressed by the same price, derived from the application of a common measure to them. The comparative prices of things being thus to be estimated, and expressed by a common measure, we may proceed to observe, that were a country so insulated as to have no commercial intercourse with any other, to confine the interchange of all its wants and supplies within itself, the amount of circulating medium, as a common measure for adjusting these exchanges, would be quite immaterial. If their circulation, for instance, were of a million of dollars, and the annual produce of their industry equivalent to ten millions of bushels of wheat, the price of a bushel of wheat might be one dollar. If, then, by a progressive coinage, their medium should be doubled, the price of a bushel of wheat might become progressively two dollars, and without inconvenience. Whatever be the proportion of the circulating medium to the value of the annual produce of industry, it may be considered as the representative of that industry. In the first case, a bushel of wheat will be represented by one dollar; in the second, by two dollars. This is well explained by Hume, and seems admitted by Adam Smith, B. 2. c. 2. 436, 441, 490. But where a nation is in a full course of interchange of wants and supplies with all others, the proportion of its medium to its produce is no longer indifferent. Ib. 441. To trade on equal terms, the common measure of values should be as nearly as possible on a par with that of its corresponding nations, whose medium is in a sound state; that is to say, not in an accidental state of excess or deficiency. Now, one of the great advantages of specie as a medium is, that being of universal value, it will keep itself at a general level, flowing out from where it is too high into parts where it is lower. Whereas, if the medium be of local value only, as paper money, if too little, indeed, gold and silver will flow in to supply the deficiency; but if too much, it accumulates, banishes the gold and silver not locked up in vaults and hoards, and depreciates itself; that is to say, its proportion to the annual produce of industry being raised, more of it is required to represent any particular article of produce than in the other countries. This is agreed by Smith (B. 2. c. 2. 437), the principal advocate for a paper circulation; but advocating it on the sole condition that it be strictly regulated. He admits, nevertheless, that 'the commerce and industry of a country cannot be so secure when suspended on the Dædalian wings of paper money, as on the solid ground of gold and silver; and that in time of war, the insecurity is greatly increased, and great confusion possible where the circulation is for the greater part in paper.' B. 2. c. 2. 484. But in a country where loans are uncertain, and a specie circulation the only sure resource for them, the preference of that circulation assumes a far different degree of importance, as is explained in my former letters.

The only advantage which Smith proposes by substituting paper in the room of gold and silver money, B. 2. c. 2. 434, is, 'to replace an expensive instrument with one much less costly, and *sometimes* equally convenient;' that is to say, page 437, 'to allow the gold and silver to be sent abroad and converted into foreign goods,' and to substitute paper as being a cheaper measure. But this makes no addition to the stock or capital of the nation. The coin sent out was worth as much, while in the country, as the goods imported and taking its place. It is only, then, a change of form in a part of the national capital, from that of gold and silver to other goods. He admits, too, that while a part of the goods received in exchange for the coin exported, may be materials, tools and provisions for the employment of an additional industry, a part, also, may be taken back in foreign wines, silks, &c., to be consumed by idle people who produce nothing; and so far the substitution promotes prodigality, increases expense and consumption, without increasing production. So far also, then, it lessens the capital of the nation. What may be the amount which the conversion of the part exchanged for productive goods may add to the former productive mass, it is not easy to ascertain, because, as he says, page 441, 'it is impossible to determine what is the proportion which the circulating money of any country bears to the whole value of the annual produce. It has been computed by different authors, from a fifth* to a thirtieth of that value.' In the United States it must be less than in any other part of the commercial world; because the great mass of their inhabitants being in responsible circumstances, the great mass of their exchanges in the country is effected on credit, in their merchant's ledger, who supplies all their wants through the year, and at the end of it receives the produce of their farms, or other articles of their industry. It is a fact, that a farmer with a revenue of ten thousand dollars a year, may obtain all his supplies from his merchant, and liquidate them at the end of the year, by the sale of his produce to him, without the intervention of a single dollar of cash. This, then, is merely barter, and in this way of barter a great portion of the annual produce of the United States is exchanged without the intermediation of cash. We might safely, then, state our medium at the minimum of one thirtieth. But what is one thirtieth of the value of the annual produce of the industry of the United States? Or what is the whole value of the annual produce of the United States? An able writer and competent judge of the subject, in 1799, on as good grounds as probably could be taken, estimated it, on the then population of four and a half millions of inhabitants, to be thirty-seven and a half millions sterling, or one hundred and sixty-eight and three fourths millions of dollars. See Cooper's Political Arithmetic, page 47. According to the same estimate, for our present population it will be three hundred millions of dollars, one thirtieth of which, Smith's minimum, would be ten millions, and one fifth, his maximum, would be sixty millions for the quantum of circulation. But suppose, that instead of our needing the least circulating medium of any nation, from the circumstance before mentioned, we should place ourselves in the middle term of the calculation, to wit, at thirty-five millions. One fifth of this, at the least, Smith thinks should be retained in specie, which would leave twenty-eight millions of specie to be exported in exchange for other commodities; and if fifteen millions of that should be returned in productive goods, and not in articles of prodigality, that would be the amount of capital which this operation would add to the existing mass. But to what mass? Not that of the three hundred millions, which is only its gross annual produce; but to that capital of which the three hundred millions are but the annual produce. But this being gross. we may infer from it the value of the capital by considering that the rent of lands is generally fixed at one third of the gross produce, and is deemed its nett profit, and twenty times that its fee simple value. The profits on landed capital may, with accuracy enough for our purpose, be supposed on a par with those of other capital. This would give us then for the United States, a capital of two thousand millions, all in active employment, and exclusive of unimproved lands lying in a great degree dormant. Of this, fifteen millions would be the hundred and thirty third part. And it is for this petty addition to the capital of the nation, this minimum of one dollar, added to one hundred and thirty-three and a third or three fourths per cent, that we are to give up our gold and silver medium, its intrinsic solidity, its universal value, and its saving powers in time of war, and to substitute for it paper, with all its train of evils, moral, political, and physical, which I will not pretend to enumerate.

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* The real cash or money necessary to carry on the circulation and barter of a State, is nearly one third part of all the annual rents of the proprietors of the said State; that is, one ninth of the whole produce of the land. Sir William Petty supposes one tenth part of the value of the whole produce sufficient. Postlethwait, voce, Cash.

There is another authority to which we may appeal for the proper quantity of circulating medium for the United States. The old Congress, when we were estimated at about two millions of people, on a long and able discussion, June the 22nd, 1775, decided the sufficient quantity to be two millions of dollars, which sum they then emitted.* According to this, it should be eight millions, now that we are eight millions of people. This differs little from Smith's minimum of ten millions, and strengthens our respect for that estimate.

There is, indeed, a convenience in paper; its easy transmission from one place to another. But this may be mainly supplied by bills of exchange, so as to prevent any great displacement of actual coin. Two places trading together balance their dealings, for the most part, by their mutual supplies, and the debtor individuals of either may, instead of cash, remit the bills of those who are creditors in the same dealings; or may obtain them through some third place with which both have dealings. The cases would be rare where such bills could not be obtained, either directly or circuitously, and too unimportant to the nation to overweigh the train of evils flowing from paper circulation.

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* Within five months after this, they were compelled by the necessities of the war, to abandon the idea of emitting only an adequate circulation, and to make those necessities the sole measure of their emissions.

From eight to thirty-five millions then being our proper circulation, and two hundred millions the actual one, the memorial proposes to issue ninety millions more, because, it says, a great scarcity of money is proved by the numerous applications for banks; to wit, New York for eighteen millions, Pennsylvania ten millions, &c. The answer to this shall be quoted from Adam Smith, B. 2. c. 2. page 462; where, speaking of the complaints of the traders against the Scotch bankers, who had already gone too far in their issues of paper, he says, 'those traders and other undertakers having got so much assistance from banks, wished to get still more. The banks, they seem to have thought, could extend their credits to whatever sum might be wanted, without incurring any other expense besides that of a few reams of paper. They complained of the contracted views and dastardly spirit of the directors of those banks, which did not, they said, extend their credits in proportion to the extension of the trade of the country; meaning, no doubt, by the extension of that trade, the extension of their own projects beyond what they could carry on, either *with their own capital*, or with what they had credit to borrow of private people in the usual way of bond or mortgage. The banks, they seem to have thought, were in honour bound to supply the deficiency, and to provide them with all the capital which they wanted to trade with.' And again, page 470: 'when bankers discovered that certain projectors were trading, not with any capital of their own, but with that which they advanced them, they endeavoured to withdraw gradually, making every day greater and greater difficulties about discounting. These difficulties alarmed and enraged in the highest degree those projectors. Their own distress, of which this prudent and necessary reserve of the banks was no doubt the immediate occasion, they called the distress of the country; and this distress of the country, they said, was altogether owing to the ignorance, pusillanimity, and bad conduct of the banks, which did not give a sufficiently liberal aid to the spirited undertakings of those who exerted themselves in order to beautify, improve, and enrich the country. It was the duty of the banks, they seemed to think, to lend for as long a time, and to as great an extent, as they might wish to borrow.' It is, probably, the *good paper* of these projectors which the memorial says, the banks being *unable* to discount, goes into the hands of brokers, who (knowing the risk of this *good paper*) discount it at a much higher rate than legal interest, to the great distress of the enterprising adventurers, who had rather try trade on borrowed capital, than go to the plough or other laborious calling. Smith again says, page 478, 'that the industry of Scotland languished for want of money to employ it, was the opinion of the famous Mr. Law. By establishing a bank of a particular kind, which, he seems to have imagined, might issue paper to the amount of the whole value of all the lands in the country, he proposed to remedy this want of money. It was afterwards adopted, with some variations, by the Duke of Orleans, at that time Regent of France. The idea of the possibility of multiplying paper to almost any extent, was the real foundation of what is called the Mississippi scheme, the most extravagant project both of banking and stock jobbing, that perhaps the world ever saw. The principles upon which it was founded are explained by Mr. Law himself, in a discourse concerning money and trade, which he published in Scotland when he first proposed his project. The splendid but visionary ideas which are set forth in that and some other works upon the same principles, still continue to make an impression upon many people, and have perhaps, in part, contributed to that excess of banking which has of late been complained of both in Scotland and in other places.' The Mississippi scheme, it is well known, ended in France in the bankruptcy of the public treasury, the crush of thousands and thousands of private fortunes, and scenes of desolation and distress equal to those of an invading army, burning and laying waste all before it.

At the time we were funding our national debt, we heard much about 'a public debt being a public blessing;' that the stock representing it was a creation of active capital for the aliment of commerce, manufactures, and agriculture. This paradox was well adapted to the minds of believers in dreams, and the gulls of that size entered bonâ fide into it. But the art and mystery of banks is a wonderful improvement on that. It is established on the principle that '*private* debts are a public blessing.' That the evidences of those private debts, called bank notes, become active capital, and aliment the whole commerce, manufactures, and agriculture of the United States. Here are a set of people, for instance, who have bestowed on us the great blessing of running in our debt about two hundred millions of dollars, without our knowing who they are, where they are, or what property they have to pay this debt when called on; nay, who have made us so sensible of the blessings of letting them run in our debt, that we have exempted them by law from the repayment of these debts beyond a given proportion, (generally estimated at one third). And to fill up the measure of blessing, instead of paying, they receive an interest on what they owe from those to whom they owe; for all the notes, or evidences of what they owe, which we see in circulation, have been lent to somebody on an interest which is levied again on us through the medium of commerce. And they are so ready still to deal out their liberalities to us, that they are now willing to let themselves run in our debt ninety millions more, on our paying them the same premium of six or eight per cent interest, and on the same legal exemption from the repayment of more than thirty millions of the debt, when it shall be called for. But let us look at this principle in its original form, and its copy will then be equally understood. 'A public debt is a public blessing.' That our debt was juggled from forty-three up to eighty millions, and funded at that amount, according to this opinion was a great public blessing, because the evidences of it could be vested in commerce, and thus converted into active capital, and then the more the debt was made to be, the more active capital was created. That is to say, the creditors could now employ in commerce the money due them from the public, and make from it an annual profit of five per cent, or four millions of dollars. But observe, that the public were at the same time paying on it an interest of exactly the same amount of four millions of dollars. Where then is the gain to either party, which makes it a public blessing? There is no change in the state of things, but of persons only. A has a debt due to him from the public, of which he holds their certificate as evidence, and on which he is receiving an annual interest. He wishes, however, to have the money itself, and to go into business with it. B has an equal sum of money in business, but wishes now to retire, and live on the interest. He therefore gives it to A, in exchange for A's certificates of public stock. Now, then, A has the money to employ in business, which B so employed before. B has the money on interest to live on, which A lived on before: and the public pays the interest to B, which they paid to A before. Here is no new creation of capital, no additional money employed, nor even a change in the employment of a single dollar. The only change is of place between A and B, in which we discover no creation of capital, nor public blessing. Suppose, again, the public to owe nothing. Then A not having lent his money to the public, would be in possession of it himself, and would go into business without the previous operation of selling stock. Here again, the same quantity of capital is employed as in the former case, though no public debt exists. In neither case is there any creation of active capital, nor other difference than that there is a public debt in the first case, and none in the last; and we may safely ask which of the two situations is most truly a public blessing? If, then, a *public* debt be no public blessing, we may pronounce, *à fortiori*, that a private one cannot be so. If the debt which the banking companies owe be a blessing to any body, it is to themselves alone, who are realising a solid interest of eight or ten per cent on it. As to the public, these companies have banished all our gold and silver medium, which, before their institution, we had without interest, which never could have perished in our hands, and would have been our salvation now in the hour of war; instead of which, they have given us two hundred millions of froth and bubble, on which we are to pay them heavy interest, until it shall vanish into air, as Morris's notes did. We are warranted, then, in affirming, that this parody on the principle of 'a public debt being a public blessing,' and its mutation into the blessing of private instead of public debts, is as ridiculous as the original principle itself. In both cases, the truth is, that capital may be produced by industry, and accumulated by economy: but jugglers only will propose to create it by legerdemain tricks with paper.

I have called the actual circulation of bank paper in the United States two hundred millions of dollars. I do not recollect where I have seen this estimate; but I retain the impression that I thought it just at the time. It may be tested, however, by a list of the banks now in the United States, and the amount of their capital. I have no means of recurring to such a list for the present day: but I turn to two lists in my possession for the years 1803 and 1804.

	Dollars.
In 1803, there were thirty-four banks, whose capital was	28,902,000
In 1804, there were sixty-six, consequently thirty-two additional ones. Their capital is not stated, but at the average of the others (excluding the highest, that of the United States, which was of ten millions), they would be of six hundred thousand dollars each, and add . . .	19,200,000,
Making a total of	48,102,000,

or say of fifty millions in round numbers. Now every one knows the immense multiplication of these institutions since 1804. If they have only doubled, their capital will be of one hundred millions, and if trebled, as I think probable, it will be of one hundred and fifty millions, on which they are at liberty to circulate treble the amount. I should sooner, therefore, believe two hundred millions to be far below than above the actual circulation. In England, by a late parliamentary document, (see Virginia Argus of October the 18th, 1813, and other public papers of about that date) it appears that six years ago, the bank of England had twelve millions of pounds sterling in circulation, which had increased to forty-two millions in 1812, or to one hundred and eighty-nine millions of dollars. What proportion all the other banks may add to this, I do not know: if we were allowed to suppose they equal it, this would give a circulation of three hundred and seventy-eight millions, or the double of ours on a double population. But that nation is essentially commercial, ours essentially agricultural, and needing, therefore, less circulating medium, because the produce of the husbandman comes but once a year, and is then partly consumed at home, partly exchanged by barter. The dollar, which was of four shillings and six pence sterling, was, by the same document, stated to be then six shillings and nine pence, a depreciation of exactly fifty per cent. The average price of wheat on the continent of Europe, at the commencement of its present war with England, was about a French crown, of one hundred and ten cents the bushel. With us it was one hundred cents, and consequently we could send it there in competition with their own. That ordinary price has now doubled with us, and more than doubled in England; and although a part of this augmentation may proceed from the war demand, yet from the extraordinary nominal rise in the prices of land, and labour here, both of which have nearly doubled in that period, and are still rising with every new bank, it is evident that were a general peace to take place to-morrow, and time allowed for the re-establishment of commerce, justice, and order, we could not afford to raise wheat for much less than two dollars, while the continent of Europe, having no paper circulation, and that of its specie not being augmented, would raise it at their former price of one hundred and ten cents. It follows, then, that with our redundancy of paper, we cannot, after peace, send a bushel of wheat to Europe, unless extraordinary circumstances double its price in particular places, and that then the exporting countries of Europe could undersell us.

It is said our paper is as good as silver, because we may have silver for it at the bank where it issues. This is not true. One, two, or three persons might have it: but a general application would soon exhaust their vaults, and leave a ruinous proportion of their paper in its intrinsic worthless form. It is a fallacious pretence, for another reason. The inhabitants of the banking cities might obtain cash for their paper, as far as the cash of the vaults would hold out; but distance puts it out of the power of the country to do this. A farmer having a note of a Boston or Charleston bank, distant hundreds of miles, has no means of calling for the cash. And while these calls are impracticable for the country, the banks have no fear of their being made from the towns; because their inhabitants are mostly on their books, and there on sufferance only, and during good behaviour.

In this state of things, we are called on to add ninety millions more to the circulation. Proceeding in this career, it is infallible that we must end where the revolutionary paper ended. Two hundred millions was the whole amount of all the emissions of the old Congress, at which point their bills ceased to circulate. We are now at that sum; but with treble the population, and of course a longer tether. Our depreciation is, as yet, but at about two for one. Owing to the support its credit receives from the small reservoirs of specie in the vaults of the banks, it is impossible to say at what point their notes will stop. Nothing is necessary to effect it but a general alarm; and that may take place whenever the public shall begin to reflect on and perceive the impossibility that the banks should repay this sum. At present, caution is inspired no farther than to keep prudent men from selling property on long payments. Let us suppose the panic to arise at three hundred millions, a point to which every session of the legislatures hastens us by long strides. Nobody dreams that they would have three hundred millions of specie to satisfy the holders of their notes. Were they even to stop now, no one supposes they have two hundred millions in cash, or even the sixty-six and two-thirds millions, to which amount alone the law obliges them to repay. One hundred and thirty-three and one third millions of loss, then, is thrown on the public by law; and as to the sixty-six and two-thirds, which they are legally bound to pay, and ought to have in their vaults, every one knows there is no such amount of cash in the United States, and what would be the course with what they really have there? Their notes are refused. Cash is called for. The inhabitants of the banking towns will get what is in the vaults, until a few banks declare their insolvency; when, the general crush becoming evident, the others will withdraw even the cash they have, declare their bankruptcy at once, and leave an empty house and empty coffers for the holders of their notes. In this scramble of creditors, the country gets nothing, the towns but little. What are they to do? Bring suits? A million of creditors bring a million of suits against John Nokes and Robert Styles, wheresoever to be found? All nonsense. The loss is total. And a sum is thus swindled from our citizens, of seven times the amount of the real debt, and four times that of the factitious one of the United States, at the close of the war. All this they will justly charge on their legislatures; but this will be poor satisfaction for the two or three hundred millions they will have lost. It is time, then, for the public functionaries to look to this. Perhaps it may not be too late. Perhaps, by giving time to the banks, they may call in and pay off their paper by degrees. But no remedy is ever to be expected while it rests with the State legislatures. Personal motives can be excited through so many avenues to their will, that, in their hands, it will continue to go on from bad to worse, until the catastrophe overwhelms us. I still believe, however, that on proper representations of the subject, a great proportion of these legislatures would cede to Congress their power of establishing banks, saving the charter rights already granted. And this should be asked, not by way of amendment to the constitution, because until three fourths should consent nothing could be done; but accepted from them one by one, singly, as their consent might be obtained. Any single State, even if no other should come into the measure, would find its interest in arresting foreign bank paper immediately, and its own by degrees. Specie would flow in on them as paper disappeared. Their own banks would call in and pay off their notes gradually, and their constituents would thus be saved from the general wreck. Should the greater part of the States concede, as is expected, their power over banks to Congress, besides insuring their own safety, the paper of the non-conceding States might be so checked and circumscribed, by prohibiting its receipt in any of the conceding States, and even in the non-conceding as to duties, taxes, judgments, or other demands of the United States, or of the citizens of other States, that it would soon die of itself, and the medium of gold and silver be universally restored. This is what ought to be done. But it will not be done. *Carthago non delibitur.* The overbearing clamor of merchants, speculators and projectors, will drive us before them with our eyes open, until, as in France, under the Mississippi bubble, our citizens will be overtaken by the crush of this baseless fabric, without other satisfaction than that of execrations on the heads of those functionaries, who, from ignorance, pusillanimity, or corruption, have betrayed the fruits of their industry into the hands of projectors and swindlers.

When I speak comparatively of the paper emissions of the old Congress and the present banks, let it not be imagined that I cover them under the same mantle. The object of the former was a holy one; for if ever there was a holy war, it was that which saved our liberties and gave us independence. The object of the latter, is to enrich swindlers at the expense of the honest and industrious part of the nation.

The sum of what has been said is, that pretermitting the constitutional question on the authority of Congress, and considering this application on the grounds of reason alone, it would be best that our medium should be so proportioned to our produce, as to be on a par with that of the countries with which we trade, and whose medium is in a sound state: that specie is the most perfect medium, because it will preserve its own level; because, having intrinsic and universal value, it can never die in our hands, and it is the surest resource of reliance in time of war: that the trifling economy of paper, as a cheaper medium, or its convenience for transmission, weighs nothing in opposition to the advantages of the precious metals: that it is liable to be abused, has been, is, and for ever will be abused, in every country in which it is permitted: that it is already at a term of abuse in these States, which has never been reached by any other nation, France excepted, whose dreadful catastrophe should be a warning against the instrument which produced it: that we are already at ten or twenty times the due quantity of medium; insomuch, that no man knows what his property is now worth, because it is bloating while he is calculating; and still less what it will be worth when the medium shall be relieved from its present dropsical state: and that it is a palpable falsehood to say we can have specie for our paper whenever demanded. Instead, then, of yielding to the cries of scarcity of medium, set up by speculators, projectors, and commercial gamblers, no endeavours should be spared to begin the work of reducing it by such gradual means as may give time to private fortunes to preserve their poise, and settle down with the subsiding medium; and that, for this purpose, the States should be urged to concede to the general

Government, with a saving of chartered rights, the exclusive power of establishing banks of discount for paper.

To the existence of banks of *discount* for *cash*, as on the continent of Europe, there can be no objection, because there can be no danger of abuse, and they are a convenience both to merchants and individuals. I think they should even be encouraged by allowing them a larger than legal interest on short discounts, and tapering thence, in proportion as the term of discount is lengthened, down to legal interest on those of a year or more. Even banks of *deposit*, where cash should be lodged, and a paper acknowledgment taken out as its representative, entitled to a return of the cash on demand, would be convenient for remittances, travelling persons, &c. But, liable as its cash would be to be pilfered and robbed, and its paper to be fraudulently re-issued, or issued without deposit, it would require skilful and strict regulation. This would differ from the bank of Amsterdam, in the circumstance that the cash could be redemanded on returning the note.

When I commenced this letter to you, my dear Sir, on Mr. Law's memorial, I expected a short one would have answered that. But as I advanced, the subject branched itself before me into so many collateral questions, that even the rapid views I have taken of each have swelled the volume of my letter beyond my expectations, and, I fear, beyond your patience. Yet on a revisal of it, I find no part which has not so much bearing on the subject as to be worth merely the time of perusal.

I leave it then as it is; and will add only the assurances of my constant and affectionate esteem and respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, October 13, 1813.

DEAR SIR,

Since mine of August the 22nd, I have received your favours of August the 16th, September the 2nd, 14th, 15th and —, and Mrs. Adams's of September the 20th. I now send you, according to your request, a copy of the syllabus. To fill up this skeleton with arteries, with veins, with nerves, muscles, and flesh, is really beyond my time and information. Whoever could undertake it would find great aid in Enfield's judicious abridgment of Brucker's History of Philosophy, in which he has reduced five or six quarto volumes, of one thousand pages each, of Latin, closely printed, to two moderate octavos of Englist open type.

To compare the morals of the Old, with those of the New Testament, would require an attentive study of the former, a search through all its books for its precepts, and through all its history for its practices, and the principles they prove. As commentaries, too, on these, the philosophy of the Hebrews must be inquired into, their Mishna, their Gemara, Cabbala, Jezirah, Sohar, Cosri, and their Talmud, must be examined and understood, in order to do them full justice. Brucker, it would seem, has gone deeply into these repositories of their ethics, and Enfield, his epitomiser, concludes in these words. 'Ethics were so little understood among the Jews, that, in their whole compilation called the Talmud, there is only one treatise on moral subjects. Their books of morals chiefly consisted in a minute enumeration of duties. From the law of Moses were deduced six hundred and thirteen precepts, which were divided into two classes, affirmative and negative, two hundred and forty-eight in the fromer, and three hundred and sixty-five in the latter. It may serve to give the reader some idea of the low state of moral philosophy among the Jews in the middle age, to add that of the two hundred and forty-eight affirmative precepts, only three were considered as obligatory upon women; and that, in order to obtain salvation, it was judged sufficient to fulfil any one single law in the hour of death; the observance of the rest being deemed necessary, only to increase the felicity of the future life. What a wretched depravity of sentiment and manners must have prevailed, before such corrupt maxims could have obtained credit! It is impossible to collect from these writings a consistent series of moral doctrine.' Enfield, B. 4. chap. 3. It was the reformation of this 'wretched depravity of morals' which Jesus undertook. In extracting the pure principles which he taught, we should have to strip off the artificial vestments in which they have been muffled by priests, who have travestied them into various forms, as instruments of riches and power to themselves. We must dismiss the Platonists and Plotinists, the Stagyrites and Gamalielites, the Eclectics, the Gnostics, and Scholastics, their essences and emanations, their Logos and Demiurgos, Æons and Dæmons, male and female, with a long train of &c. &c. &c. or, I shall say at once, of nonsense. We must reduce our volume to the simple evangelists, select, even from them, the very words only of Jesus, paring off the amphiboligisms into which they have been led, by forgetting often, or not understanding, what had fallen from him, by giving their own misconceptions as his dicta, and expressing unintelligibly for others what they had not understood themselves. There will be found remaining the most sublime and benevolent code of morals which has ever been offered to man. I have performed this operation for my own use, by cutting verse by verse out of the printed book, and arranging the matter which is evidently his, and which is as easily distinguishable as diamonds in a dunghill. The result is an octavo of forty-six pages, of pure and unsophisticated doctrines, such as were professed and acted on by the unlettered Apostles, the Apostolic Fathers, and the Christians of the first century. Their Platonizing successors, indeed, in after times, in order to legitimate the corruptions which they had incorporated into the doctrines of Jesus, found it necessary to disavow the primitive Christians, who had taken their principles from the mouth of Jesus himself, of his Apostles, and the Fathers contemporary with them. They excommunicated their followers as heretics, branding them with the opprobrious name of Ebionites, or beggars.

For a comparison of the Grecian philosophy with that of Jesus, materials might be largely drawn from the same source. Enfield gives a history and detailed account of the opinions and principles of the different sects. These relate to the Gods, their natures, grades, places, and powers; the demi-Gods and Dæmons, and their agency with man; the universe, its structure, extent, and duration; the origin of things from the elements of fire, water, air, and earth; the human soul, its essence and derivation; the *summum bonum* and *finis bonorum*; with a thousand idle dreams and fancies on these and other subjects, the knowledge of which is withheld from man; leaving but a short chapter for his moral duties, and the principal section of that given to what he owes himself, to precepts for rendering him impassible, and unassailable by the evils of life, and for preserving his mind in a state of constant serenity.

Such a canvass is too broad for the age of seventy, and especially of one whose chief occupations have been in the practical business of life. We must leave, therefore, to others, younger and more learned than we are, to prepare this euthanasia for Platonic Christianity, and its restoration to the primitive simplicity of its founder. I think you give a just outline of the theism of the three religions, when you say that the principle of the Hebrew was the fear, of the Ge tile, the honour, and of the Christian, the love of God.

An expression in your letter of September the 14th, that 'the human understanding is a revelation from its Maker,' gives the best solution that I believe can be given of the question, 'what did Socrates mean by his Dæmon?' He was too wise to believe and too honest to pretend, that he had real and amiliar converse with a superior and invisible being. He robably considered the suggestions of his conscience, or rea-on, as revelations, or inspirations from the Supreme Mind, stowed, on important occasions, by a special superintending rovidence.

I acknowledge all the m f the hymn of Cleanthes to Jupiter which you ascribe t It is as highly sublime as a haste and correct imaginati n permit itself to go. Yet the contemplation of a bei superlative, the hyperbolic hts of the Psalmist m be followed with approba-on, even with rapture; ave no hesitation in giving him the palm over all the ts of every language and of every time. Turn to the psalm in Brady and Tate's version. Have such concepti been ever before expressed? Their version of the 15th psal is more to be esteemed for its pithiness than its poetry. ven Sternhold, the leaden Sternhold, kindles, in a single instance, with the sublimity of his original, and expresses the majesty of God descending on the earth, in terms not unworthy of the subject.

'The Lord descended from above,
And bowed the heav'ns most high;
And underneath his feet he cast
The darkness of the sky.
On Cherubim and Seraphim
Full royally he rode;
And on the wings of mighty winds
Came flying all abroad.'—Psalm xviii. 9, 10.

The Latin versions of this passage by Buchanan and by Johnston, are but mediocres. But the Greek of Duport is worthy of quotation.

Ουρανον αγκλινας κατεϐη· ʽυπο ποσσι δ' ʽεοισιν
Αχλυς αμφι μελαινα χυθη και νυξ εριϐεννη.
ʽΡιμφα ποτατο χερουϐω οχευμενος, ωσπερ εφ' ιππω·
ʽΙπτατο δε πτερυγεσσι πολυπλαγκτου ανεμοιο.

The best collection of these psalms is that of the Octagonian dissenters of Liverpool, in their printed form of prayer; but they are not always the best versions. Indeed, bad is the best of the English versions; not a ray of poetical genius having ever been employed on them. And how much depends on this, may be seen by comparing Brady and Tate's 15th psalm with Blacklock's *Justum et tenacem propositi virum* of Horace, quoted in Hume's history, Car. 2. ch. 65. A translation of David in this style, or in that of Pompei's Cleanthes, might give us some idea of the merit of the original. The character, too, of the poetry of these hymns is singular to us; written in monostichs, each divided into strophe and antistrophe, the sentiment of the first member responded with amplification or antithesis in the second.

On the subject of the postscript of yours of August the 16th and of Mrs. Adams's letter, I am silent. I know the depth of the affliction it has caused, and can sympathise with it the more sensibly, inasmuch as there is no degree of affliction, produced by the loss of those dear to us, which experience has not taught me to estimate. I have ever found time and silence the only medicine, and these but assuage, they never can suppress the deep drawn sigh which recollection forever brings up, until recollection and life are extinguished together.

Ever affectionately yours.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, October 28, 1813.

DEAR SIR,

According to the reservation between us, of taking up one of the subjects of our correspondence at a time, I turn to your letters of August the 16th and September the 2nd.

The passage you quote from Theognis, I think has an ethical rather than a political object. The whole piece is a moral *exhortation*, παϱαινεσις, and this passage particularly seems to be a reproof to man, who, while with his domestic animals he is curious to improve the race, by employing always the finest male, pays no attention to the improvement of his own race, but intermarries with the vicious, the ugly, or the old, for considerations of wealth or ambition. It is in conformity with the principle adopted afterwards by the Pythagoreans, and expressed by Ocellus in another form; πεϱι δε της εκτων αλληλων ανθϱωπων γενεσεως, &c. ουχηδονης ενεκα η μιξις: which, as literally as intelligibility will admit, may be thus translated; 'concerning the interprocreation of men, how, and of whom it shall be, in a perfect manner, and according to the laws of modesty and sanctity, conjointly, this is what I think right. First to lay it down that we do not commix for the sake of pleasure, but of the procreation of children. For the powers, the organs, and desires for coition have not been given by God to man for the sake of pleasure, but for the procreation of the race. For as it were incongruous, for a mortal born to partake of divine life, the immortality of the race being taken away, God fulfilled the purpose by making the generations uninterrupted and continuous. This, therefore, we are especially to lay down as a principle, that coition is not for the sake of pleasure.' But nature, not trusting to this moral and abstract motive, seems to have provided more securely for the perpetuation of the species, by making it the effect of the *oestrum* implanted in the constitution of both sexes. And not only has the commerce of love been indulged on this unhallowed impulse, but made subservient also to wealth and ambition, by marriages, without regard to the beauty, the healthiness, the understanding, or virtue of the subject from which we are to breed. The selecting the best male for a Harem of well chosen females also, which Theognis seems to recommend, from the example of our sheep and asses, would doubtless improve the human, as it does the brute animal, and produce a race of veritable αϱιστοι. For experience proves, that the moral and physical qualities of man, whether good or evil, are transmissible in a certain degree from father to son. But I suspect that the equal rights of men will rise up against this privileged Solomon and his Harem, and oblige us to continue acquiescence under the 'Αμαυϱωσις γενεος αστων' which Theognis complains of, and to content ourselves with the accidental aristoi produced by the fortuitous concourse of breeders. For I agree with you that there is a natural aristocracy among men. The grounds of this are virtue and talents. Formerly, bodily powers gave place among the aristoi. But since the invention of gunpowder has armed the weak as well as the strong with missile death, bodily strength, like beauty, good humour, politeness, and other accomplishments, has become but an auxiliary ground of distinction. There is also an artificial aristocracy, founded on wealth and birth, without either virtue or talents; for with these it would belong to the first class. The natural aristocracy I consider as the most precious gift of nature, for the instruction, the trusts, and government of society. And indeed, it would have been inconsistent in creation to have formed man for the social state, and not to have provided virtue and wisdom enough to manage the concerns of the society. May we not even say, that that form of government is the best, which provides the most effectually for a pure selection of these natural aristoi into the offices of government? The artificial aristocracy is a mischievous ingredient in government, and provision should be made to prevent its ascendancy. On the question, what is the best provision, you and I differ: but we differ as rational friends, using the free exercise of our own reason, and mutually indulging its errors. You think it best to put the pseudo-aristoi into a separate chamber of legislation, where they may be hindered from doing mischief by their co-ordinate branches, and where, also, they may be a protection to wealth against the Agrarian and plundering enterprises of the majority of the people. I think that to give them power in order to prevent them from doing mischief, is arming them for it, and increasing instead of remedying the evil. For if the co-ordinate branches can arrest their action, so may they that of the co-ordinates. Mischief may be done negatively as well as positively. Of this, a cabal in the Senate of the United States has furnished many proofs. Nor do I believe them necessary to protect the wealthy; because enough of these will find their way into every branch of the legislation, to protect themselves. From fifteen to twenty legislatures of our own, in action for thirty years past, have proved that no fears of an equalization of property are to be apprehended from them. I think the best remedy is exactly that provided by all our constitutions, to leave to the citizens the free election and separation of the aristoi from the pseudo-aristoi, of the wheat from the chaff. In general they will elect the really good and wise. In some instances, wealth may corrupt, and birth blind them; but not in sufficient degree to endanger the society.

It is probable that our difference of opinion may, in some measure, be produced by a difference of character in those among whom we live. From what I have seen of Massachusetts and Connecticut myself, and still more from what I have heard, and the character given of the former by yourself, (vol. I. page 111,) who know them so much better, there seems to be in those two States a traditionary reverence for certain families, which has rendered the offices of the government nearly hereditary in those families. I presume that from an early period of your history, members of these families happening to possess virtue and talents, have honestly exercised them for the good of the people, and by their services have endeared their names to them. In coupling Connecticut with you, I mean it politically only, not morally. For having made the Bible the common law of their land, they seem to have modelled their morality on the story of Jacob and Laban. But although this hereditary succession to office with you, may, in some degree, be founded in real family merit, yet, in a much higher degree, it has proceeded from your strict alliance of Church and State. These families are canonised in the eyes of the people on the common principle, 'you tickle me, and I will tickle you.' In Virginia we have nothing of this. Our clergy, before the revolution, having been secured against rivalship by fixed salaries, did not give themselves the trouble of acquiring influence over the people. Of wealth, there were great accumulations in particular families, handed down from generation to generation, under the English law of entails. But the only object of ambition for the wealthy was a seat in the King's Council. All their court then was paid to the crown and its creatures; and they Philipised in all collisions between the king and the people. Hence they were unpopular; and that unpopularity continues attached to their names. A Randolph, a Carter, or a Burwell must have great personal superiority over a common competitor to be elected by the people, even at this day. At the first session of our legislature after the Declaration of Independence, we passed a law abolishing entails. And this was followed by one abolishing the privilege of primogeniture, and dividing the lands of intestates equally among all their children, or other representatives. These laws, drawn by myself, laid the axe to the root of pseudo-aristocracy. And had another which I prepared been adopted by the legislature, our work would have been complete. It was a bill for the more general diffusion of learning. This proposed to divide every county into wards of five or six miles square, like your townships; to establish in each ward a free school for reading, writing, and common arithmetic; to provide for the annual selection of the best subjects from these schools, who might receive, at the public expense, a higher degree of education at a district school; and from these district schools to select a certain number of the most promising subjects, to be completed at an University, where all the useful sciences should be taught. Worth and genius would thus have been sought out from every condition of life, and completely prepared by education for defeating the competition of wealth and birth for public trusts. My proposition had, for a further object, to impart to these wards those portions of self-government for which they are best qualified, by confiding to them the care of their poor, their roads, police, elections, the nomination of jurors, administration of justice in small cases, elementary exercises of militia; in short, to have made them little republics, with a warden at the head of each, for all those concerns which, being under their eye, they would better manage than the larger republics of the county or State. A general call of ward meetings by their wardens on the same day through the State, would at any time produce the genuine sense of the people on any required point, and would enable the State to act in mass, as your people have so often done, and with so much effect, by their town meetings. The law for religious freedom, which made a part of this system, having put down the aristocracy of the clergy, and restored to the citizen the freedem of the mind, and those of entails and descents nurturing an equality of condition among them, this on education would have raised the mass of the people to the high ground of moral respectability necessary to their own safety, and to orderly government; and would have completed the great object of qualifying them to select the veritable aristoi, for the trusts of government, to the exclusion of the pseudalists: and the same Theognis who has furnished the epigraphs of your two letters, assures us that ‘Ουδεμιαν πω, Κυρν', αγαϑα πολιν ωλεσαν ανδρες.’ Although this law has not yet been acted on but in a small and inefficient degree, it is still considered as before the legislature, with other bills of the revised code, not yet taken up, and I have great hope that some patriotic spirit will, at a favourable moment, call it up, and make it the key-stone of the arch of our government.

With respect to aristocracy, we should further consider, that before the establishment of the American States, nothing was known to history but the man of the old world, crowded within limits either small or overcharged, and steeped in the vices which that situation generates. A government adapted to such men would be one thing; but a very different one, that for the man of these States. Here every one may have land to labour for himself, if he chooses; or, preferring the exercise of any other industry, may exact for it such compensation as not only to afford a comfortable subsistence, but wherewith to provide for a cessation from labour in old age. Every one, by his property, or by his satisfactory situation, is interested in the support of law and order. And such men may safely and advantageously reserve to themselves a wholesome control over their public affairs, and a degree of freedom, which, in the hands of the *canaille* of the cities of Europe, would be instantly perverted to the demolition and destruction of every thing public and private. The history of the last twenty-five years of France, and of the last forty years in America, nay, of its last two hundred years, proves the truth of both parts of this observation.

But even in Europe a change has sensibly taken place in the mind of man. Science had liberated the ideas of those who read and reflect, and the American example had kindled feelings of right in the people. An insurrection has consequently begun, of science, talents, and courage, against rank and birth, which have fallen into contempt. It has failed in its first effort, because the mobs of the cities, the instrument used for its accomplishment, debased by ignorance, poverty, and vice, could not be restrained to rational action. But the world will recover from the panic of this first catastrophe. Science is progressive, and talents and enterprise on the alert. Resort may be had to the people of the country, a more governable power from their principles and subordination; and rank, and birth, and tinsel-aristocracy will finally shrink into insignificance, even there. This, however, we have no right to meddle with. It suffices for us, if the moral and physical condition of our own citizens qualifies them to select the able and good for the direction of their government, with a recurrence of elections at such short periods as will enable them to displace an unfaithful servant, before the mischief he meditates may be irremediable.

I have thus stated my opinion on a point on which we differ, not with a view to controversy, for we are both too old to change opinions which are the result of a long life of inquiry and reflection; but on the suggestion of a former letter of yours, that we ought not to die before we have explained ourselves to each other. We acted in perfect harmony, through a long and perilous contest for our liberty and independence. A constitution has been acquired, which, though neither of us thinks perfect, yet both consider as competent to render our fellow citizens the happiest and the securest on whom the sun has ever shone. If we do not think exactly alike as to its imperfections, it matters little to our country, which, after devoting to it long lives of disinterested labour, we have delivered over to our successors in life, who will be able to take care of it and of themselves.

Of the pamphlet on aristocracy, which has been sent to you, or who may be its author, I have heard nothing but through your letter. If the person you suspect, it may be known from the quaint, mystical, and hyperbolical ideas, involved in affected, new-fangled, and pedantic terms, which stamp his writings. Whatever it be, I hope your quiet is not to be affected, at this day, by the rudeness or intemperance of scribblers; but that you may continue in tranquillity to live and to rejoice in the prosperity of our country, until it shall be your own wish to take your seat among the aristoi who have gone before you. Ever and affectionately yours.

TH. JEFFERSON.

TO THOMAS LIEPER.

Monticello, January 1, 1814.

DEAR SIR,

I had hoped, when I retired from the business of the world, that I should have been permitted to pass the evening of life in tranquillity, undisturbed by the peltings and passions of which the public papers are the vehicles. I see, however, that I have been dragged into the newspapers by the infidelity of one with whom I was formerly intimate, but who has abandoned the American principles out of which that intimacy grew, and become the bigoted partisan of England, and malcontent of his own government. In a letter which he wrote me, he earnestly besought me to avail our country of the good understanding which subsisted between the executive and myself, by recommending an offer of such terms to our enemy as might produce a peace, towards which he was confident that enemy was disposed. In my answer, I stated the aggressions, the insults, and injuries, which England had been heaping on us for years; our long forbearance in the hope she might be led, by time and reflection, to a sounder view of her own interests, and of their connexion with justice to us; the repeated propositions for accommodation made by us and rejected by her; and at length her Prince Regent's solemn proclamation to the world, that he would never repeal the orders in council, *as to us*, until France should have revoked her illegal decrees *as to all the world;* and her minister's declaration to ours, that no admissible precaution against the impressment of our seamen could be proposed: that the unavoidable declaration of war which followed these was accompanied by advances for peace, on terms which no American could dispense with, made through various channels, and unnoticed and unanswered through any: but that if he could suggest any other conditions which we ought to accept, and which had not been repeatedly offered and rejected, I was ready to be the channel of their conveyance to the government: and, to shew him that neither that attachment to Buonaparte, nor French influence, which they allege eternally without believing it themselves, affected my mind, I threw in the two little sentences of the printed extract inclosed in your friendly favour of the 9th ultimo, and exactly these two little sentences, from a letter of two or three pages, he has thought proper to publish, naked, alone, and with my name, although other parts of the letter would have shown that I wished such limits only to the successes of Buonaparte, as should not prevent his completely closing Europe against British manufactures and commerce, and thereby reducing her to just terms of peace with us.

Thus am I situated. I receive letters from all quarters, some from known friends, some from those who write like friends, on various subjects. What am I to do? Am I to button myself up in Jesuitical reserve, rudely declining any answer, or answering in terms so unmeaning as only to prove my distrust? Must I withdraw myself from all interchange of sentiment with the world? I cannot do this. It is at war with my habits and temper. I cannot act as if all men were unfaithful, because some are so; nor believe that all will betray me, because some do. I had rather be the victim of occasional infidelities, than relinquish my general confidence in the honesty of man.

So far as to the breach of confidence which has brought me into the newspapers, with a view to embroil me with my friends, by a supposed separation in opinion and principle from them. But it is impossible there can be any difference of opinion among us on the two propositions contained in these two little sentences, when explained, as they were explained in the context from which they were insulated. That Buonaparte is an unprincipled tyrant, who is deluging the continent of Europe with blood, there is not a human being, not even the wife of his bosom, who does not see: nor can there, I think, be a doubt as to the line we ought to wish drawn between his successes and those of Alexander. Surely none of us wish to see Buonaparte conquer Russia, and lay thus at his feet the whole continent of Europe. This done, England would be but a breakfast: and although I am free from the visionary fears which the votaries of England have affected to entertain, because I believe he cannot effect the conquest of Europe; yet, put all Europe into his hands, and he might spare such a force to be sent in British ships, as I would as leave not have to encounter, when I see how much trouble a handful of British soldiers in Canada has given us. No; it cannot be our interest that all Europe should be reduced to a single monarchy. The true line of interest for us is, that Buonaparte should be able to effect the complete exclusion of England from the whole continent of Europe, in order, as the same letter said, 'by this peaceable engine of constraint, to make her renounce her views of dominion over the ocean, of permitting no other nation to navigate it but with her license, and on tribute to her, and her aggressions on the persons of our citizens who may choose to exercise their right of passing over that element.' And this would be effected by Buonaparte's succeeding so far as to close the Baltic against her. This success I wished him the last year; this I wish him this year: but were he again advanced to Moscow, I should again wish him such disasters as would prevent his reaching Petersburg; and were the consequences even to be the longer continuance of our war, I would rather meet them than see the whole force of Europe wielded by a single hand.

I have gone into this explanation, my friend, because I know you will not carry my letter to the newspapers, and because I am willing to entrust to your discretion the explaining me to our honest fellow labourers, and the bringing them to pause and reflect, if any of them have not sufficiently reflected, on the extent of the success we ought to wish to Buonaparte, with a view to our own interests only; and even were we not men, to whom nothing human should be indifferent. But is our particular interest to make us insensible to all sentiments of morality? Is it, then, become criminal, the moral wish that the torrents of blood this man is shedding in Europe, the sufferings of so many human beings, good as ourselves, on whose necks he is trampling, the burnings of antient cities, devastations of great countries, the destruction of law and order, and demoralization of the world, should be arrested, even if it should place our peace a little further distant? No. You and I cannot differ in wishing that Russia, and Sweden, and Denmark, and Germany, and Spain, and Portugal, and Italy, and even England, may retain their independence. And if we differ in our opinions about Towers, and his four beasts and ten kingdoms, we differ as friends, indulging mutual errors, and doing justice to mutual sincerity and honesty. In this spirit of sincere confidence and affection, I pray God to bless you here and hereafter.

TH. JEFFERSON.

TO DOCTOR WALTER JONES.

Monticello, January 2, 1814.

Dear Sir,

Your favour of November the 25th reached this place December the 21st, having been near a month on the way. How this could happen, I know not, as we have two mails a week both from Fredericksburg and Richmond. It found me just returned from a long journey and absence, during which so much business had accumulated, commanding the first attentions, that another week has been added to the delay.

I deplore, with you, the putrid state into which our newspapers have passed, and the malignity, the vulgarity, and mendacious spirit of those who write for them; and I inclose you a recent sample, the production of a New England judge, as a proof of the abyss of degradation into which we are fallen. These ordures are rapidly depraving the public taste, and lessening its relish for sound food. As vehicles of information, and a curb on our functionaries, they have rendered themselves useless, by forfeiting all title to belief. That this has, in a great degree, been produced by the violence and malignity of party spirit, I agree with you; and I have read with great pleasure the paper you inclosed me on that subject, which I now return. It is at the same time a perfect model of the style of discussion which candour and decency should observe, of the tone which renders difference of opinion even amiable, and a succinct, correct, and dispassionate history of the origin and progress of party among us. It might be incorporated as it stands, and without changing a word, into the history of the present epoch, and would give to posterity a fairer view of the times than they will probably derive from other sources. In reading it, with great satisfaction, there was but a single passage where I wished a little more development of a very sound and catholic idea; a single intercalation to rest it solidly on a true bottom. It is near the end of the first page, where you make a statement of genuine republican maxims; saying, 'that the people ought to possess as much political power as can possibly consist with the order and security of society.' Instead of this, I would say, 'that the people, being the only safe depository of power, should exercise in person every function which their qualifications enable them to exercise consistently with the order and security of society; that we now find them equal to the election of those who shall be invested with their executive and legislative powers, and to act themselves in the judiciary, as judges in questions of fact; that the range of their powers ought to be enlarged,' &c. This gives both the reason and exemplification of the maxim you express, 'that they ought to possess as much political power,' &c. I see nothing to correct, either in your facts or principles.

You say, that in taking General Washington on your shoulders, to bear him harmless through the federal coalition, you encounter a perilous topic. I do not think so. You have given the genuine history of the course of his mind through the trying scenes in which it was engaged, and of the seductions by which it was deceived, but not depraved. I think I knew General Washington intimately and thoroughly; and were I called on to delineate his character, it should be in terms like these.

His mind was great and powerful, without being of the very first order; his penetration strong, though not so acute as that of a Newton, Bacon, or Locke; and as far as he saw, no judgment was ever sounder. It was slow in operation, being little aided by invention or imagination, but sure in conclusion. Hence the common remark of his officers, of the advantage he derived from councils of war, where, hearing all suggestions, he selected whatever was best; and certainly no general ever planned his battles more judiciously. But if deranged during the course of the action, if any member of his plan was dislocated by sudden circumstances, he was slow in a readjustment. The consequence was, that he often failed in the field, and rarely against an enemy in station, as at Boston and York. He was incapable of fear, meeting personal dangers with the calmest unconcern. Perhaps the strongest feature in his character was prudence, never acting until every circumstance, every consideration, was maturely weighed; refraining if he saw a doubt, but, when once decided, going through with his purpose, whatever obstacles opposed. His integrity was most pure, his justice the most inflexible I have ever known; no motives of interest or consanguinity, of friendship or hatred, being able to bias his decision. He was, indeed, in every sense of the words, a wise, a good, and a great man. His temper was naturally irritable and high toned; but reflection and resolution had obtained a firm and habitual ascendancy over it. If ever, however, it broke its bonds, he was most tremendous in his wrath. In his expenses he was honourable, but exact; liberal in contributions to whatever promised utility; but frowning and unyielding on all visionary projects, and all unworthy calls on his charity. His heart was not warm in its affections; but he exactly calculated every man's value, and gave him a solid esteem proportioned to it. His person, you know, was fine, his stature exactly what one would wish, his deportment easy, erect, and noble; the best horseman of his age, and the most graceful figure that could be seen on horseback. Although in the circle of his friends, where he might be unreserved with safety, he took a free share in conversation, his colloquial talents were not above mediocrity, possessing neither copiousness of ideas, nor fluency of words. In public, when called on for a sudden opinion, he was unready, short, and embarrassed. Yet he wrote readily, rather diffusely, in an easy and correct style. This he had acquired by conversation with the world, for his education was merely reading, writing, and common arithmetic, to which he added surveying at a later day. His time was employed in action chiefly, reading little, and that only in agriculture and English history. His correspondence became necessarily extensive, and, with journalizing his agricultural proceedings, occupied most of his leisure hours within doors. On the whole, his character was, in its mass, perfect, in nothing bad, in few points indifferent; and it may truly be said, that never did nature and fortune combine more perfectly to make a man great, and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance. For his was the singular destiny and merit, of leading the armies of his country successfully through an arduous war, for the establishment of its independence; of conducting its councils through the birth of a government, new in its forms and principles, until it had settled down into a quiet and orderly train; and of scrupulously obeying the laws through the whole of his career, civil and military, of which the history of the world furnishes no other example.

How, then, can it be perilous for you to take such a man on your shoulders? I am satisfied the great body of republicans think of him as I do. We were, indeed, dissatisfied with him on his ratification of the British treaty. But this was short lived. We knew his honesty, the wiles with which he was encompassed, and that age had already begun to relax the firmness of his purposes; and I am convinced he is more deeply seated in the love and gratitude of the republicans, than in the Pharisaical homage of the federal monarchists. For he was no monarchist from preference of his judgment. The soundness of that gave him correct views of the rights of man, and his severe justice devoted him to them. He has often declared to me that he considered our new constitution as an experiment on the practicability of republican government, and with what dose of liberty man could be trusted for his own good; that he was determined the experiment should have a fair trial, and would lose the last drop of his blood in support of it. And these declarations he repeated to me the oftener and the more pointedly, because he knew my suspicions of Colonel Hamilton's views, and probably had heard from him the same declarations which I had, to wit, 'that the British constitution, with its unequal representation, corruption, and other existing abuses, was the most perfect government which had ever been established on earth, and that a reformation of these abuses would make it an impracticable government.' I do believe that General Washington had not a firm confidence in the durability of our government. He was naturally distrustful of men, and inclined to gloomy apprehensions: and I was ever persuaded that a belief that we must at length end in something like a British constitution, had some weight in his adoption of the ceremonies of levees, birth-days, pompous meetings with Congress, and other forms of the same character, calculated to prepare us gradually for a change which he believed possible, and to let it come on with as little shock as might be to the public mind.

These are my opinions of General Washington, which I would vouch at the judgment seat of God, having been formed on an acquaintance of thirty years. I served with him in the Virginia legislature from 1769 to the revolutionary war, and again, a short time in Congress, until he left us to take command of the army. During the war, and after it, we corresponded occasionally, and in the four years of my continuance in the office of Secretary of State, our intercourse was daily, confidential, and cordial. After I retired from that office, great and malignant pains were taken by our federal monarchists, and not entirely without effect, to make him view me as a theorist, holding French principles of government, which would lead infallibly to licentiousness and anarchy. And to this he listened the more easily, from my known disapprobation of the British treaty. I never saw him afterwards, or these malignant insinuations should have been dissipated before his just judgment, as mists before the sun. I felt on his death, with my countrymen, that 'verily a great man hath fallen this day in Israel.'

More time and recollection would enable me to add many other traits of his character; but why add them to you, who knew him well? And I cannot justify to myself a longer detention of your paper.

Vale, proprieque tuum, me esse tibi persuadeas.

TH. JEFFERSON.

TO JOSEPH. C. CABELL.

Monticello, January 31, 1814.

DEAR SIR,

Your favour of the 23rd is received. Say had come to hand safely. But I regretted having asked the return of him; for I did not find in him one new idea on the subject I had been contemplating; nothing more than a succinct, judicious digest of the tedious pages of Smith.

You ask my opinion on the question, whether the States can add any qualifications to those which the constitution has prescribed for their members of Congress? It is a question I had never before reflected on; yet had taken up an off-hand opinion, agreeing with your first, that they could not: that to add new qualifications to those of the constitution, would be as much an alteration, as to detract from them. And so I think the House of Representatives of Congress decided in some case; I believe that of a member from Baltimore. But, your letter having induced me to look into the constitution, and to consider the question a little, I am again in your predicament, of doubting the correctness of my first opinion. Had the constitution been silent, nobody can doubt but that the right to prescribe all the qualifications and disqualifications of those they would send to represent them, would have belonged to the State. So also the constitution might have prescribed the whole, and excluded all others. It seems to have preferred the middle way. It has exercised the power in part, by declaring some disqualifications, to wit, those of not being twenty-five years of age, of not having been a citizen seven years, and of not being an inhabitant of the State at the time of election. But it does not declare, itself, that the member shall not be a lunatic, a pauper, a convict of treason, of murder, of felony, or other infamous crime, or a non-resident of his district; nor does it prohibit to the State the power of declaring these, or any other disqualifications which its particular circumstances may call for: and these may be different in different States. Of course, then, by the tenth amendment, the power is reserved to the State. If, wherever the constitution assumes a single power out of many which belong to the same subject, we should consider it as assuming the whole, it would vest the General Government with a mass of powers never contemplated. On the contrary, the assumption of particular powers seems an exclusion of all not assumed. This reasoning appears to me to be sound; but, on so recent a change of view, caution requires us not to be too confident, and that we admit this to be one of the doubtful questions on which honest men may differ with the purest motives; and the more readily, as we find we have differed from ourselves on it.

I have always thought, that where the line of demarcation between the powers of the General and State governments was doubtfully or indistinctly drawn, it would be prudent and praiseworthy in both parties, never to approach it but under the most urgent necessity. Is the necessity now urgent, to declare that no non-resident of his district shall be eligible as a member of Congress? It seems to me that, in practice, the partialities of the people are a sufficient security against such an election; and that if, in any instance, they should ever choose a non-resident, it must be in one of such eminent merit and qualifications, as would make it a good, rather than an evil; and that, in any event, the examples will be so rare, as never to amount to a serious evil. If the case then be neither clear nor urgent, would it not be better to let it lie undisturbed? Perhaps its decision may never be called for. But if it be indispensable to establish this disqualification now, would it not look better to declare such others, at the same time, as may be proper? I frankly confide to yourself these opinions, or rather no-opinions, of mine; but would not wish to have them go any farther. I want to be quiet: and although some circumstances, now and then, excite me to notice them, I feel safe, and happier in leaving events to those whose turn it is to take care of them; and, in general, to let it be understood, that I meddle little or not at all with public affairs. There are two subjects, indeed, which I shall claim a right to further as long as I breathe, the public education, and the subdivision of the counties into wards. I consider the continuance of republican government as absolutely hanging on these two hooks. Of the first, you will, I am sure, be an advocate, as having already reflected on it, and of the last, when you shall have reflected. Ever affectionately yours.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, July 5, 1814.

DEAR SIR,

Since mine of January the 24th, yours of March the 14th has been received. It was not acknowledged in the short one of May the 18th, by Mr. Rives, the only object of that having been to enable one of our most promising young men to have the advantage of making his bow to you. I learned, with great regret, the serious illness mentioned in your letter; and I hope Mr. Rives will be able to tell me you are entirely restored. But our machines have now been running seventy or eighty years, and we must expect that, worn as they are, here a pivot, there a wheel, now a pinion, next a spring, will be giving way; and however we may tinker them up for a while, all will at length surcease motion. Our watches, with works of brass and steel, wear out within that period. Shall you and I last to see the course the seven-fold wonders of the times will take? The Attila of the age dethroned, the ruthless destroyer of ten millions of the human race, whose thirst for blood appeared unquenchable, the great oppressor of the rights and liberties of the world, shut up within the circuit of a little island of the Mediterranean, and dwindled to the condition of an humble and degraded pensioner on the bounty of those he has most injured. How miserably, how meanly, has he closed his inflated career! What a sample of the bathos will his history present! He should have perished on the swords of his enemies, under the walls of Paris.

> 'Leon piagato a morte,
> Sente mancar la vita,
> Guarda la sua ferita,
> Ne s' avelisce ancor
> Cosi fra l' ira estrema
> Rugge, minaccia, e freme,
> Che fa tremar morendo
> Tal volta a cacciator.'—*Metast. Adriano.*

But Buonaparte was a lion in the field only. In civil life, a cold-blooded, calculating, unprincipled usurper, without a virtue: no statesman, knowing nothing of commerce, political economy, or civil government, and supplying ignorance by bold presumption. I had supposed him a great man until his entrance into the Assembly *des cinq cens*, eighteen Brumaire (an. 8). From that date, however, I set him down as a great scoundrel only. To the wonders of his rise and fall, we may add that of a Czar of Muscovy, dictating, *in Paris*, laws and limits to all the successors of the Cæsars, and holding even the balance in which the fortunes of this new world are suspended. I own, that while I rejoice, for the good of mankind, in the deliverance of Europe from the havoc which would have never ceased while Buonaparte should have lived in power, I see with anxiety the tyrant of the ocean remaining in vigour, and even participating in the merit of crushing his brother tyrant. While the world is thus turned up side down, on which side of it are we? All the strong reasons, indeed, place us on the side of peace; the interests of the continent, their friendly dispositions, and even the interests of England. Her passions alone are opposed to it. Peace would seem now to be an easy work, the causes of the war being removed. Her orders of council will no doubt be taken care of by the allied powers, and, war ceasing, her impressment of our seamen ceases of course. But I fear there is foundation for the design intimated in the public papers, of demanding a cession of our right in the fisheries. What will Massachusetts say to this? I mean her majority, which must be considered as speaking through the organs it has appointed itself, as the index of its will. She chose to sacrifice the liberty of our seafaring citizens, in which we were all interested, and with them her obligations to the co-States, rather than war with England. Will she now sacrifice the fisheries to the same partialities? This question is interesting to her alone; for to the middle, the southern, and western States, they are of no direct concern; of no more than the culture of tobacco, rice, and cotton, to Massachusetts. I am really at a loss to conjecture what our refractory sister will say on this occasion. I know what, as a citizen of the Union, I would say to her: 'Take this question *ad referendum*. It concerns you alone. If you would rather give up the fisheries than war with England, we give them up. If you had rather fight for them, we will defend your interests to the last drop of our blood, choosing rather to set a good example than follow a bad one.' And I hope she will determine to fight for them. With this, however, you and I shall have nothing to do; ours being truly the case wherein '*non tali auxilio, nec defensoribus istis nobis opus* *est.*' Quitting this subject, therefore, I will turn over another leaf.

I am just returned from one of my long absences, having been at my other home for five weeks past. Having more leisure there than here for reading, I amused myself with reading seriously Plato's Republic. I am wrong, however, in calling it amusement, for it was the heaviest task-work I ever went through. I had occasionally before taken up some of his other works, but scarcely ever had patience to go through a whole dialogue. While wading through the whimsies, the puerilities, and unintelligible jargon of this work, I laid it down often to ask myself, how it could have been, that the world should have so long consented to give reputation to such nonsense as this? How the *soi-disant* Christian world, indeed, should have done it, is a piece of historical curiosity. But how could the Roman good sense do it? And particularly, how could Cicero bestow such eulogies on Plato? Although Cicero did not wield the dense logic of Demosthenes, yet he was able, learned, laborious, practised in the business of the world, and honest. He could not be the dupe of mere style, of which he was himself the first master in the world. With the moderns, I think, it is rather a matter of fashion and authority. Education is chiefly in the hands of persons who, from their profession, have an interest in the reputation and the dreams of Plato. They give the tone while at school, and few in their after years have occasion to revise their college opinions. But fashion and authority apart, and bringing Plato to the test of reason, take from him his sophisms, futilities, and incomprehensibilities, and what remains? In truth, he is one of the race of genuine sophists, who has escaped the oblivion of his brethren, first, by the elegance of his diction, but chiefly, by the adoption and incorporation of his whimsies into the body of artificial Christianity. His foggy mind is for ever presenting the semblances of objects which, half seen through a mist, can be defined neither in form nor dimension. Yet this, which should have consigned him to early oblivion, really procured him immortality of fame and reverence. The Christian priesthood, finding the doctrines of Christ levelled to every understanding, and too plain to need explanation, saw, in the mysticisms of Plato, materials with which they might build up an artificial system, which might, from its indistinctness, admit everlasting controversy, give employment for their order, and introduce it to profit, power, and preeminence. The doctrines which flowed from the lips of Jesus himself are within the comprehension of a child; but thousands of volumes have not yet explained the Platonisms engrafted on them: and for this obvious reason, that nonsense can never be explained. Their purposes, however, are answered. Plato is canonized: and it is now deemed as impious to question his merits as those of an Apostle of Jesus. He is peculiarly appealed to as an advocate of the immortality of the soul; and yet I will venture to say, that were there no better arguments than his in proof of it, not a man in the world would believe it. It is fortunate for us, that Platonic republicanism has not obtained the same favour as Platonic Christianity; or we should now have been all living, men, women, and children, pell-mell together, like the beasts of the field or forest. Yet 'Plato is a great philosopher,' said La Fontaine. But, says Fontenelle, 'do you find his ideas very clear?' 'Oh no! he is of an obscurity impenetrable.' 'Do you not find him full of contradictions?' 'Certainly,' replied La Fontaine, 'he is but a sophist.' Yet immediately after, he exclaims again, 'Oh, Plato was a great philosopher.' Socrates had reason, indeed, to complain of the misrepresentations of Plato; for in truth, his dialogues are libels on Socrates.

But why am I dosing you with these antediluvian topics? Because I am glad to have some one to whom they are familiar, and who will not receive them as if dropped from the moon. Our post-revolutionary youth are born under happier stars than you and I were. They acquire all learning in their mother's womb, and bring it into the world ready made. The information of books is no longer necessary; and all knowledge which is not innate, is in contempt, or neglect at least. Every folly must run its round; and so, I suppose, must that of self-learning and self-sufficiency: of rejecting the knowledge acquired in past ages, and starting on the new ground of intuition. When sobered by experience, I hope our successors will turn their attention to the advantages of education. I mean of education on the broad scale, and not that of the petty *academies*, as they call themselves, which are starting up in every neighbourhood, and where one or two men possessing Latin, and sometimes Greek, a knowledge of the globes, and the first six books of Euclid, imagine and communicate this as the sum of science. They commit their pupils to the theatre of the world, with just taste enough of learning to be alienated from industrious pursuits, and not enough to do service in the ranks of science. We have some exceptions, indeed. I presented one to you lately, and we have some others. But the terms I use are general truths. I hope the necessity will, at length, be seen of establishing institutions here, as in Europe, where every branch of science, useful at this day, may be taught in its highest degree. Have you ever turned your thoughts to the plan of such an institution? I mean to a specification of the particular sciences of real use in human affairs, and how they might be so grouped as to require so many professors only, as might bring them within the views of a just but enlightened economy? I should be happy in a communication of your ideas on this problem, either loose or digested. But to avoid my being run away with by another subject, and adding to the length and ennui of the present letter, I will here present to Mrs. Adams and yourself, the assurance of my constant and sincere friendship and respect.

TH. JEFFERSON.

TO COLONEL MONROE.

Monticello, January 1, 1815.

DEAR SIR,

Your letters of November the 30th and December the 21st have been received with great pleasure. A truth now and then projecting into the ocean of newspaper lies, serves like head-lands to correct our course. Indeed, my scepticism as to every thing I see in a newspaper, makes me indifferent whether I ever see one. The embarrassments at Washington, in August last. I expected would be great in any state of things; but they proved greater than expected. I never doubted that the plans of the President were wise and sufficient. Their failure we all impute, 1, to the insubordinate temper of Armstrong: and, 2, to the indecision of Winder. However, it ends well. It mortifies ourselves, and so may check, perhaps, the silly boasting spirit of our newspapers, and it enlists the feelings of the world on our side: and the advantage of public opinion is like that of the weather-gage in a naval action. In Europe, the transient possession of our capital can be no disgrace Nearly every capital there was in possession of its enemy; some often and long. But diabolical as they paint that enemy, he burnt neither public edifices nor private dwellings. It was reserved for England to shew that Buonaparte, in atrocity, was an infant to their ministers and their generals. They are taking his place in the eyes of Europe, and have turned into our channel all its good will. This will be worth the million of dollars the repairs of their conflagrations will cost us. I hope that, to preserve this weather-gage of public opinion, and to counteract the slanders and falsehoods disseminated by the English papers, the government will make it a standing instruction to their ministers at foreign courts, to keep Europe truly informed of occurrences here, by publishing in their papers the naked truth always, whether favourable or unfavourable. For they will believe the good, if we candidly tell them the bad also.

But you have two more serious causes of uneasiness; the want of men and money. For the former, nothing more wise or efficient could have been imagined than what you proposed. It would have filled our ranks with regulars, and that, too, by throwing a just share of the burthen on the purses of those whose persons are exempt either by age or office; and it would have rendered our militia, like those of the Greeks and Romans, a nation of warriors. But the go-by seems to have been given to your proposition, and longer sufferance is necessary to force us to what is best. We seem equally incorrigible in our financial course. Although a century of British experience has proved to what a wonderful extent the funding on specific redeeming taxes enables a nation to anticipate in war the resources of peace, and although the other nations of Europe have tried and trodden every path of force or folly in fruitless quest of the same object, yet *we* still expect to find in juggling tricks and banking dreams, that money can be made out of nothing, and in sufficient quantity to meet the expenses of a heavy war by sea and land. It is said, indeed, that money cannot be borrowed from our merchants as from those of England. But it can be borrowed from our people. They will give you all the necessaries of war they produce, if, instead of the bankrupt trash they now are obliged to receive for want of any other, you will give them a paper promise funded on a specific pledge, and of a size for common circulation. But you say the merchants will not take this paper. What the people take the merchants must take, or sell nothing. All these doubts and fears prove only the extent of the dominion which the banking institutions have obtained over the minds of our citizens, and especially of those inhabiting cities or other banking places; and this dominion must be broken, or it will break us. But here, as in the other case, we must make up our mind to suffer yet longer before we can get right. The misfortune is, that in the mean time, we shall plunge ourselves into inextinguishable debt, and entail on our posterity an inheritance of eternal taxes, which will bring our government and people into the condition of those of England, a nation of pikes and gudgeons, the latter bred merely as food for the former. But, however these two difficulties of men and money may be disposed of, it is fortunate that neither of them will affect our war by sea. Privateers will find their own men and money. Let nothing be spared to encourage them. They are the dagger which strikes at the heart of the enemy,—their commerce. Frigates and seventy-fours are a sacrifice we must make, heavy as it is, to the prejudices of a part of our citizens. They have, indeed, rendered a great moral service, which has delighted me as much as any one in the United States. But they have had no physical effect sensible to the enemy; and now, while we must fortify them in our harbours, and keep armies to defend them, our *privateers* are bearding and blockading the enemy in their own seaports. Encourage them to burn all their prizes, and let the public pay for them. They will cheat us enormously. No matter; they will make the merchants of England feel, and squeal, and cry out for peace.

I much regretted your acceptance of the war department. Not that I know a person who I think would better conduct it. But, conduct it ever so wisely, it will be a sacrifice of yourself. Were an angel from Heaven to undertake that office, all our miscarriages would be ascribed to him. Raw troops, no troops, insubordinate militia, want of arms, want of money, want of provisions, all will be charged to want of management in you. I speak from experience, when I was Governor of Virginia. Without a regular in the State, and scarcely a musket to put into the hands of the militia, invaded by two armies, Arnold's from the sea-board, and Cornwallis's from the southward, when we were driven from Richmond and Charlottesville, and every member of my council fled to their homes, it was not the total destitution of means, but the mismanagement of them, which, in the querulous voice of the public, caused all our misfortunes. It ended, indeed, in the capture of the whole hostile force, but not till means were brought us by General Washington's army, and the French fleet and army. And although the legislature, who were personally intimate with both the means and measures, acquitted me with justice and thanks, yet General Lee has put all those imputations among the romances of his historical novel, for the amusement of credulous and uninquisitive readers. Not that I have seen the least disposition to censure you. On the contrary, your conduct on the attack of Washington has met the praises of every one, and your plan for regulars and militia, their approbation. But no campaign is as yet opened. No Generals have yet an interest in shifting their own incompetence on you, no army agents their rogueries. I sincerely pray you may never meet censure where you will deserve most praise, and that your own happiness and prosperity may be the result of your patriotic services.

Ever and affectionately yours.

TH. JEFFERSON.

TO THE MARQUIS DE LA FAYETTE.

Monticello, February 14, 1815.

MY DEAR FRIEND,

Your letter of August the 14th has been received and read, again and again, with extraordinary pleasure. It is the first glimpse which has been furnished me of the interior workings of the late unexpected but fortunate revolution of your country. The newspapers told us only that the great beast was fallen; but what part in this the patriots acted, and what the egoists, whether the former slept while the latter were awake to their own interests only, the hireling scribblers of the English press said little, and knew less. I see now the mortifying alternative under which the patriot there is placed, of being either silent, or disgraced by an association in opposition with the remains of Buonaparteism. A full measure of liberty is not now perhaps to be expected by your nation; nor am I confident they are prepared to preserve it. More than a generation will be requisite, under the administration of reasonable laws, favouring the progress of knowledge in the general mass of the people, and their habituation to an independent security of person and property, before they will be capable of estimating the value of freedom, and the necessity of a sacred adherence to the principles on which it rests for preservation. Instead of that liberty which takes root and growth in the progress of reason, if recovered by mere force or accident, it becomes, with an unprepared people, a tyranny still, of the many, the few, or the one. Possibly you may remember, at the date of the *jeu de paume*, how earnestly I urged yourself and the patriots of my acquaintance, to enter then into a compact with the king, securing freedom of religion, freedom of the press, trial by jury, *habeas corpus*, and a national legislature, all of which it was known he would then yield, to go home, and let these work on the amelioration of the condition of the people, until they should have rendered them capable of more, when occasions would not fail to arise for communicating to them more. This was as much as I then thought them able to bear, soberly and usefully for themselves. You thought otherwise, and that the dose might still be larger. And I found you were right; for subsequent events proved they were equal to the constitution of 1791. Unfortunately, some of the most honest and enlightened of our patriotic friends, (but closet politicians merely, unpractised in the knowledge of man,) thought more could still be obtained and borne. They did not weigh the hazards of a transition from one form of government to another, the value of what they had already rescued from those hazards, and might hold in security if they pleased, nor the imprudence of giving up the certainty of such a degree of liberty, under a limited monarch, for the uncertainty of a little more under the form of a republic. You differed from them. You were for stopping there, and for securing the constitution which the National Assembly had obtained. Here, too, you were right; and from this fatal error of the republicans, from their separation from yourself and the constitutionalists in their councils, flowed all the subsequent sufferings and crimes of the French nation. The hazards of a second change fell upon them by the way. The foreigner gained time to anarchise by gold the government he could not overthrow by arms, to crush in their own councils the genuine republicans, by the fraternal embraces of exaggerated and hireling pretenders, and to turn the machine of Jacobinism from the change to the destruction of order: and, in the end, the limited monarchy they had secured was exchanged for the unprincipled and bloody tyranny of Robespierre, and the equally unprincipled and maniac tyranny of Buonaparte. You are now rid of him, and I sincerely wish you may continue so. But this may depend on the wisdom and moderation of the restored dynasty. It is for them now to read a lesson in the fatal errors of the republicans; to be contented with a certain portion of power, secured by formal compact with the nation, rather than, grasping at more, hazard all upon uncertainty, and risk meeting the fate of their predecessor, or a renewal of their own exile. We are just informed, too, of an example which merits, if true, their most profound contemplation. The gazettes say, that Ferdinand of Spain is dethroned, and his father re-established on the basis of their new constitution. This order of magistrates must, therefore, see, that although the attempts at reformation have not succeeded in their whole length, and some secession from the ultimate point has taken place, yet that men have by no means fallen back to their former passiveness: but, on the contrary, that a sense of their rights, and a restlessness to obtain them, remain deeply impressed on every mind, and, if not quieted by reasonable relaxations of power, will break out like a volcano on the first occasion, and overwhelm every thing again in its way. I always thought the present king an honest and moderate man: and having no issue, he is under a motive the less for yielding to personal considerations. I cannot, therefore, but hope, that the patriots in and out of your legislature, acting in phalanx, but temperately and wisely, pressing unremittingly the principles omitted in the late capitulation of the king, and watching the occasions which the course of events will create, may get those principles engrafted into it, and sanctioned by the solemnity of a national act.

With us the affairs of war have taken the more favourable turn which was to be expected. Our thirty years of peace had taken off, or superannuated, all our revolutionary officers of experience and grade; and our first draught in the lottery of untried characters had been most unfortunate. The delivery of the fort and army of Detroit by the traitor Hull; the disgrace at Queenstown, under Van Rensellaer; the massacre at Frenchtown under Winchester; and surrender of Boerstler, in an open field, to one third of his own numbers, were the inauspicious beginnings of the first year of our warfare. The second witnessed but the single miscarriage occasioned by the disagreement of Wilkinson and Hampton, mentioned in my letter to you of November the 30th, 1813; while it gave us the capture of York by Dearborne and Pike; the capture of Fort George by Dearborne also; the capture of Proctor's army, on the Thames, by Harrison, Shelby, and Johnson; and that of the whole British fleet on Lake Erie, by Perry. The third year has been a continued series of victories; to wit, of Brown and Scott, at Chippeway; of the same at Niagara; of Gaines over Drummond at Fort Erie; that of Brown over Drummond at the same place; the capture of another fleet on Lake Champlain, by M'Donough; the entire defeat of their army under Prevost, on the same day, by M'Comb, and recently their defeats at New Orleans by Jackson, Coffee, and Carroll, with the loss of four thousand men out of nine thousand and six hundred, with their two Generals, Packingham and Gibbs, killed, and a third, Keane, wounded, mortally, as is said.

This series of successes has been tarnished only by the conflagrations at Washington, a *coup de main*, differing from that at Richmond, which you remember, in the revolutionary war, in the circumstance only, that we had, in that case, but forty-eight hours' notice that an enemy had arrived within our capes; whereas, at Washington there was abundant previous notice. The force designated by the President was the double of what was necessary; but failed, as is the general opinion, through the insubordination of Armstrong, who would never believe the attack intended until it was actually made, and the sluggishness of Winder before the occasion, and his indecision during it. Still, in the end, the transaction has helped rather than hurt us, by arousing the general indignation of our country, and by marking to the world of Europe the Vandalism and brutal character of the English government. It has merely served to immortalize their infamy. And add further, that through the whole period of the war, we have beaten them single handed at sea, and so thoroughly established our superiority over them with equal force, that they retire from that kind of contest, and never suffer their frigates to cruize singly. The Endymion would never have engaged the frigate President, but knowing herself backed by three frigates and a razee, who, though somewhat slower sailors, would get up before she could be taken. The disclosure to the world of the fatal secret that they can be beaten at sea with an equal force, the evidence furnished by the military operations of the last year, that experience is rearing us officers who, when our means shall be fully under way, will plant our standard on the walls of Quebec and Halifax, their recent and signal disaster at New Orleans, and the evaporation of their hopes from the Hartford convention, will probably raise a clamour in the British nation, which will force their ministry into peace. I say *force* them; because, willingly, they would never be at peace. The British ministers find in a state of war rather than of peace, by riding the various contractors, and receiving *douceurs* on the vast expenditures of the war supplies, that they recruit their broken fortunes, or make new ones, and therefore will not make peace, as long as by any delusions they can keep the temper of the nation up to the war point. They found some hopes on the state of our finances. It is true, that the excess of our banking institutions, and their present discredit, have shut us out from the best source of credit we could ever command with certainty. But the foundations of credit still remain to us, and need but skill, which experience will soon produce, to marshal them into an order which may carry us through any length of war. But they have hoped more in their Hartford convention. Their fears of republican France being now done away, they are directed to republican America, and they are playing the same game for disorganization here, which they played in your country. The Marats, the Dantons, and Robespierres of Massachusetts are in the same pay, under the same orders, and making the same efforts to anarchise us, that their prototypes in France did there.

I do not say that all who met at Hartford were under the same motives of money: nor were those of France. Some of them are Outs, and wish to be Ins; some the mere dupes of the agitators, or of their own party passions; while the Maratists alone are in the real secret: but they have very different materials to work on. The yeomanry of the United States are not the *canaille* of Paris. We might safely give them leave to go through the United States, recruiting their ranks, and I am satisfied they could not raise one single regiment (gambling merchants and silk stocking clerks excepted) who would support them in any effort to separate from the Union. The cement of this Union is in the heart-blood of every American. I do not believe there is on earth a government established on so immovable a basis. Let them, in any State, even in Massachusetts itself, raise the standard of separation, and its citizens will rise in mass, and do justice themselves on their own incendiaries. If they could have induced the government to some effort of suppression, or even to enter into discussion with them, it would have given them some importance, have brought them into some notice. But they have not been able to make themselves even a subject of conversation, either of public or private societies. A silent contempt has been the sole notice they could excite; consoled, indeed, some of them, by the palpable favours of Philip. Have, then, no fears for us, my friend. The grounds of these exist only in English newspapers, endited or endowed by the Castlereaghs or the Cannings, or some other such models of pure and uncorrupted virtue. Their military heroes, by land and sea, may sink our oyster boats, rob our hen roosts, burn our negro huts, and run off; but a campaign or two more will relieve them from further trouble or expense in defending their American possessions.

You once gave me a copy of the journal of your campaign in Virginia, in 1781, which I must have lent to some one of the undertakers to write the history of the revolutionary war, and forgot to reclaim. I conclude this, because it is no longer among my papers, which I have very diligently searched for it, but in vain. An author of real ability is now writing that part of the history of Virginia. He does it in my neighbourhood, and I lay open to him all my papers. But I possess none, nor has he any, which can enable him to do justice to your faithful and able services in that campaign. If you could be so good as to send me another copy by the very first vessel bound to any port of the United States, it might be here in time; for although he expects to begin to print within a month or two, yet you know the delays of these undertakings. At any rate, it might be got in as a supplement. The old Count Rochambeau gave me also his *mémoire* of the operations at York, which is gone the same way, and I have no means of applying to his family for it. Perhaps you could render them, as well as us, the service of procuring another copy.

I learn, with real sorrow, the deaths of Monsieur and Madame de Tessé. They made an interesting part in the idle reveries in which I have sometimes indulged myself, of seeing all my friends of Paris once more, for a month or two; a thing impossible, which, however, I never permitted myself to despair of. The regrets, however, of seventy-three at the loss of friends, may be the less, as the time is shorter within which we are to meet again, according to the creed of our education.

This letter will be handed you by Mr. Ticknor, a young gentleman of Boston, of great erudition, indefatigable industry, and preparation for a life of distinction in his own country. He passed a few days with me here, brought high recommendations from Mr. Adams and others, and appeared in every respect to merit them. He is well worthy of those attentions which you so kindly bestow on our countrymen, and for those he may receive I shall join him in acknowledging personal obligations.

I salute you with assurances of my constant and affectionate friendship and respect.

TH. JEFFERSON.

P. S. February 26. My letter had not yet been sealed, when I received news of our peace. I am glad of it, and especially that we closed our war with the éclât of the action at New Orleans. But I consider it as an armistice only, because no security is provided against the impressment of our seamen. While this is unsettled we are in hostility of mind with England, although actual deeds of arms may be suspended by a truce. If she thinks the exercise of this outrage is worth eternal war, eternal war it must be, or extermination of the one or the other party. The first act of impressment she commits on an American, will be answered by reprisal, or by a declaration of war here; and the interval must be merely a state of preparation for it. In this we have much to do, in further fortifying our seaport towns, providing military stores, classing and disciplining our militia, arranging our financial system, and, above all, pushing our domestic manufactures, which have taken such root as never again can be shaken. Once more, God bless you. T. J.

TO MR. WENDOVER.*

Monticello, March 13, 1815.

Sir,

Your favour of January the 30th was received after long delay on the road, and I have to thank you for the volume of discourses which you have been so kind as to send to me. I have gone over them with great satisfaction, and concur with the able preacher in his estimate of the character of the belligerents in our late war, and lawfulness of defensive war. I consider the war, with him, as 'made on good advice,' that is, for just causes, and its dispensation as providential, inasmuch as it has exercised our patriotism and submission to order, has planted and invigorated among us arts of urgent necessity, has manifested the strong and the weak parts of our republican institutions, and the excellence of a representative democracy compared with the misrule of Kings, has rallied the opinions of mankind to the natural rights of expatriation, and of a common property in the ocean, and raised us to that grade in the scale of nations which the bravery and liberality of our citizen soldiers, by land and by sea, the wisdom of our institutions, and their observance of justice, entitled us to in the eyes of the world. All this Mr. McLeod has well proved, and from those sources of argument particularly which belong to his profession. On one question only I differ from him, and it is that which constitutes the subject of his first discourse, the right of discussing public affairs *in the pulpit.* I add the last words, because I admit the right in *general conversation* and in *writing;* in which last form it has been exercised in the valuable book you have now favoured me with.

[* This is endorsed 'not sent.']

The mass of human concerns, moral and physical, is so vast, the field of knowledge requisite for man to conduct them to the best advantage is so extensive, that no human being can acquire the whole himself, and much less in that degree necessary for the instruction of others. It has of necessity, then, been distributed into different departments, each of which, singly, may give occupation enough to the whole time and attention of a single individual. Thus we have teachers of Languages, teachers of Mathematics, of Natural Philosophy, of Chemistry, of Medicine, of Law, of History, of Government, &c. Religion, too, is a separate department, and happens to be the only one deemed requisite for all men, however high or low. Collections of men associate together, under the name of congregations, and employ a religious teacher of the particular sect of opinions of which they happen to be, and contribute to make up a stipend as a compensation for the trouble of delivering them, at such periods as they agree on, lessons in the religion they profess. If they want instruction in other sciences or arts, they apply to other instructors; and this is generally the business of early life. But I suppose there is not an instance of a single congregation which has employed their preacher for the mixed purpose of lecturing them *from the pulpit*, in Chemistry, in Medicine, in Law, in the science and principles of Government, or in any thing but Religion exclusively. Whenever, therefore, preachers, instead of a lesson in religion, put them off with a discourse on the Copernican system, on chemical affinities, on the construction of government, or the characters or conduct of those administering it, it is a breach of contract, depriving their audience of the kind of service for which they are salaried, and giving them, instead of it, what they did not want, or, if wanted, would rather seek from better sources in that particular art or science. In choosing our pastor we look to his religious qualifications, without inquiring into his physical or political dogmas, with which we mean to have nothing to do. I am aware that arguments may be found, which may twist a thread of politics into the chord of religious duties. So may they for every other branch of human art or science. Thus, for example, it is a religious duty to obey the laws of our country: the teacher of religion, therefore, must instruct us in those laws, that we may know how to obey them. It is a religious duty to assist our sick neighbours: the preacher must, therefore, teach us medicine, that we may do it understandingly. It is a religious duty to preserve our own health: our religious teacher, then, must tell us what dishes are wholesome, and give us recipes in cookery, that we may learn how to prepare them. And so, ingenuity, by generalising more and more, may amalgamate all the branches of science into any one of them, and the physician who is paid to visit the sick, may give a sermon instead of medicine; and the merchant to whom money is sent for a hat, may send a handkerchief instead of it. But notwithstanding this possible confusion of all sciences into one, common sense draws lines between them sufficiently distinct for the general purposes of life, and no one is at a loss to understand that a recipe in medicine or cookery, or a demonstration in geometry, is not a lesson in religion. I do not deny that a congregation may, if they please, agree with their preacher that he shall instruct them in medicine also, or Law, or Politics. Then, lectures in these, from the pulpit, become not only a matter of right, but of duty also. But this must be with the consent of every individual; because the association being voluntary, the mere majority has no right to apply the contributions of the minority to purposes unspecified in the agreement of the congregation. I agree, too, that on all other occasions, the preacher has the right, equally with every other citizen, to express his sentiments, in speaking or writing, on the subjects of Medicine, Law, Politics, &c., his leisure time being his own, and his congregation not obliged to listen to his conversation, or to read his writings; and no one would have regretted more than myself, had any scruple as to this right, withheld from us the valuable discourses which have led to the expression of an opinion as to the true limits of the right. I feel my portion of indebtment to the reverend author, for the distinguished learning, the logic, and the eloquence, with which he has proved that religion, as well as reason, confirms the soundness of those principles on which our government has been founded and its rights asserted.

These are my views of this question. They are in opposition to those of the highly-respected and able preacher, and are, therefore, the more doubtingly offered. Difference of opinion leads to inquiry, and inquiry to truth; and that, I am sure, is the ultimate and sincere object of us both. We both value too much the freedom of opinion sanctioned by our constitution, not to cherish its exercise even where in opposition to ourselves.

Unaccustomed to reserve or mystery in the expression of my opinions, I have opened myself frankly on a question suggested by your letter and present. And although I have not the honour of your acquaintance, this mark of attention, and still more the sentiments of esteem so kindly expressed in your letter, are entitled to a confidence that observations not intended for the public will not be ushered to their notice, as has happened to me sometimes. Tranquillity at my age is the balm of life. While I know I am safe in the honour and charity of a McLeod, I do not wish to be cast forth to the Marats, the Dantons, and the Robespierres of the priesthood: I mean the Parishes, the Ogdens, and the Gardiners of Massachusetts.

I pray you to accept the assurances of my esteem and respect.

TH. JEFFERSON.

TO CÆSAR A. RODNEY.

Monticello, March 16, 1815.

MY DEAR FRIEND AND ANTIENT COLLEAGUE,

Your letter of February the 19th has been received with very sincere pleasure. It recalls to memory the sociability, the friendship, and the harmony of action which united personal happiness with public duties, during the portion of our lives in which we acted together. Indeed, the affectionate harmony of our cabinet is among the sweetest of my recollections. I have just received a letter of friendship from General Dearborne. He writes me that he is now retiring from every species of public occupation, to pass the remainder of life as a private citizen; and he promises me a visit in the course of the summer. As you hold out a hope of the same gratification, if chance or purpose could time your visits together, it would make a real jubilee. But come as you will, or as you can, it will always be joy enough to me. Only you must give me a month's notice; because I go three or four times a year to a possession ninety miles south-westward, and am absent a month at a time, and the mortification would be indelible of losing such a visit by a mistimed absence. You will find me in habitual good health, great contentedness, enfeebled in body, impaired in memory, but without decay in my friendships.

Great, indeed, have been the revolutions in the world, since you and I have had any thing to do with it. To me they have been like the howlings of the winter storm over the battlements, while warm in my bed. The unprincipled tyrant of the land is fallen, his power reduced to its original nothingness, his person only not yet in the mad-house, where it ought always to have been. His equally unprincipled competitor, the tyrant of the ocean, in the mad-house indeed, in person, but his power still stalking over the deep. '*Quem deus vult perdere, prius dementat.*' The madness is acknowledged; the perdition of course impending. Are we to be the instruments? A friendly, a just, and a reasonable conduct on their part, might make us the main pillar of their prosperity and existence. But their deep rooted hatred to us seems to be the means which Providence permits to lead them to their final catastrophe. '*Nullam enim in terris gentem esse, nullum infestiorem populum nomini Romano,*' said the General who erased Capua from the list of powers. What nourishment and support would not England receive from an hundred millions of industrious descendants, whom some of her people now born will live to see here. What their energies are, she has lately tried. And what has she not to fear from an hundred millions of such men, if she continues her maniac course of hatred and hostility to them? I hope in God she will change. There is not a nation on the globe with whom I have more earnestly wished a friendly intercourse, on equal conditions. On no other would I hold out the hand of friendship to any. I know that their creatures represent me as personally an enemy to England. But fools only can believe this, or those who think me a fool. I am an enemy to her insults and injuries. I am an enemy to the flagitious principles of her administration, and to those which govern her conduct towards other nations. But would she give to morality some place in her political code, and especially would she exercise decency, and at least neutral passions towards us, there is not, I repeat it, a people on earth with whom I would sacrifice so much to be in friendship. They can do us, as enemies, more harm than any other nation; and in peace and in war, they have more means of disturbing us internally. Their merchants established among us, the bonds by which our own are chained to their feet, and the banking combinations interwoven with the whole, have shewn the extent of their control, even during a war with her. They are the workers of all the embarrassments our finances have experienced during the war. Declaring themselves bankrupt, they have been able still to chain the government to a dependence on them; and had the war continued, they would have reduced us to the inability to command a single dollar. They dared to proclaim that they would not pay their own paper obligations, yet our government could not venture to avail themselves of this opportunity of sweeping their paper from the circulation, and substituting their own notes bottomed on specific taxes for redemption, which every one would have eagerly taken and trusted, rather than the baseless trash of bankrupt companies; our government, I say, have still been overawed from a contest with them, and has even countenanced and strengthened their influence, by proposing new establishments, with authority to swindle yet greater sums from our citizens. This is the British influence to which I am an enemy, and which we must subject to our government, or it will subject us to that of Britain.

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Come, and gratify, by seeing you once more, a friend who assures you with sincerity of his constant and affectionate attachment and respect.

TH. JEFFERSON.

TO GENERAL DEARBORNE.

Monticello, March 17, 1815.

MY DEAR GENERAL, FRIEND, AND ANTIENT COLLEAGUE,

I have received your favour of February the 27th, with very great pleasure, and sincerely reciprocate congratulations on the late events. Peace was indeed desirable; yet it would not have been as welcome without the successes of New Orleans. These last have established truths too important not to be valued; that the people of Louisiana are sincerely attached to the Union; that their city can be defended; that the western States make its defence their peculiar concern; that the militia are brave; that their deadly aim countervails the manœuvering skill of their enemy; that we have officers of natural genius now starting forward from the mass; and that, putting together all our conflicts, we can beat the British, by sea and by land, with equal numbers. All this being now proved, I am glad of the pacification of Ghent, and shall still be more so, if, by a reasonable arrangement against impressment, they will make it truly a treaty of peace, and not a mere truce, as we must all consider it, until the principle of the war is settled. Nor, among the incidents of the war, will we forget your services. After the disasters produced by the treason or the cowardice, or both, of Hull, and the follies of some others, your capture of York and Fort George first turned the tide of success in our favour; and the subsequent campaigns sufficiently wiped away the disgraces of the first. If it were justifiable to look to your own happiness only, your resolution to retire from all public business could not but be approved. But you are too young to ask a discharge as yet, and the public councils too much needing the wisdom of our ablest citizens, to relinquish their claim on you. And surely none needs your aid more than your own State. Oh, Massachusetts! how have I lamented the degradation of your apostacy! Massachusetts, with whom I went with pride in 1776, whose vote was my vote on every public question, and whose principles were then the standard of whatever was free or fearless. But then she was under the counsels of the two Adamses; while Strong, her present leader, was promoting petitions for submission to British power and British usurpation. While under her present counsels, she must be contented to be nothing; as having a vote, indeed, to be counted, but not respected. But should the State once more buckle on her republican harness, we shall receive her again as a sister, and recollect her wanderings among the crimes only of the parricide party, which would have basely sold what their fathers so bravely won from the same enemy. Let us look forward, then, to the act of repentance, which, by dismissing her venal traitors, shall be the signal of return to the bosom and to the principles of her brethren; and if her late humiliation can just give her modesty enough to suppose that her southern brethren are somewhat on a par with her in wisdom, in information, in patriotism, in bravery, and even in honesty, although not in psalm singing, she will more justly estimate her own relative momentum in the Union. With her antient principles, she would really be great, if she did not think herself the whole. I should be pleased to hear that you go into her councils, and assist in bringing her back to those principles, and to a sober satisfaction with her proportionable share in the direction of our affairs.

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Be so good as to lay my homage at the feet of Mrs. Dearborne, and to be assured that I am ever and affectionately yours.

TH. JEFFERSON.

TO THE PRESIDENT.

Monticello, March 23, 1815.

Dear Sir,

I duly received your favour of the 12th, and with it the pamphlet on the causes and conduct of the war, which I now return. I have read it with great pleasure, but with irresistible desire that it should be published. The reasons in favour of this are strong, and those against it are so easily gotten over, that there appears to me no balance between them. 1. We need it in Europe. They have totally mistaken our character. Accustomed to rise at a feather themselves, and to be always fighting, they will see in our conduct, fairly stated, that acquiescence under wrong, to a certain degree, is wisdom, and not pusillanimity; and that peace and happiness are preferable to that false honour, which, by eternal wars, keeps their people in eternal labour, want, and wretchedness. 2. It is necessary for the people of England, who have been deceived as to the causes and conduct of the war, and do not entertain a doubt, that it was entirely wanton and wicked on our part, and under the order of Buonaparte. By rectifying their ideas, it will tend to that conciliation which is absolutely necessary to the peace and prosperity of both nations. 3. It is necessary for our own people, who, although they have known the details as they went along, yet have been so plied with false facts and false views by the federalists, that some impression has been left that all has not been right. It may be said that it will be thought unfriendly. But truths necessary for our own character, must not be suppressed out of tenderness to its calumniators. Although written, generally, with great moderation, there may be some things in the pamphlet which may perhaps irritate. The characterising every act, for example, by its appropriate epithet, is not necessary to shew its deformity to an intelligent reader. The naked narrative will present it truly to his mind, and the more strongly, from its moderation, as he will perceive that no exaggeration is aimed at. Rubbing down these roughnesses, and they are neither many nor prominent, and preserving the original date, might, I think, remove all the offensiveness, and give more effect to the publication. Indeed, I think that a soothing postscript, addressed to the interests, the prospects, and the sober reason of both nations, would make it acceptable to both. The trifling expense of reprinting it ought not to be considered a moment. Mr. Gallatin could have it translated into French, and suffer it to get abroad in Europe without either avowal or disavowal. But it would be useful to print some copies of an appendix, containing all the documents referred to, to be preserved in libraries, and to facilitate to the present and future writers of history, the acquisition of the materials which test the truths it contains.

I sincerely congratulate you on the peace, and more especially, on the éclât with which the war was closed. The affair of New Orleans was fraught with useful lessons to ourselves, our enemies, and our friends, and will powerfully influence our future relations with the nations of Europe. It will shew them we mean to take no part in their wars, and count no odds when engaged in our own. I presume that, having spared to the pride of England her formal acknowledgment of the atrocity of impressment in an article of the treaty, she will concur in a convention for relinquishing it. Without this, she must understand that the present is but a truce, determinable on the first act of impressment of an American citizen, committed by any officer of hers. Would it not be better that this convention should be a separate act, unconnected with any treaty of commerce, and made an indispensable preliminary to all other treaty? If blended with a treaty of commerce, she will make it the price of injurious concessions. Indeed, we are infinitely better without such treaties with any nation. We cannot too distinctly detach ourselves from the European system, which is essentially belligerent, nor too sedulously cultivate an American system, essentially pacific. But if we go into commercial treaties at all, they should be with all, at the same time, with whom we have important commercial relations. France, Spain, Portugal, Holland, Denmark, Sweden, Russia, all should proceed *pari passu*. Our ministers marching in phalanx on the same line, and intercommunicating freely, each will be supported by the weight of the whole mass, and the facility with which the other nations will agree to equal terms of intercourse, will discountenance the selfish higglings of England, or justify our rejection of them. Perhaps with all of them it would be best to have but the single article *gentis amicissimæ*, leaving every thing else to the usages and courtesies of civilized nations. But all these things will occur to yourself, with their counter-considerations.

Mr. Smith wrote to me on the transportation of the library, and particularly, that it is submitted to your direction. He mentioned also, that Dougherty would be engaged to superintend it. No one will more carefully and faithfully execute all those duties which would belong to a waggon master. But it requires a character acquainted with books, to receive the library. I am now employing as many hours of every day as my strength will permit, in arranging the books, and putting every one in its place on the shelves, corresponding with its order in the catalogue, and shall have them numbered correspondently. This operation will employ me a considerable time yet. Then I should wish a competent agent to attend, and, with the catalogue in his hand, see that every book is on the shelves, and have their lids nailed on, one by one, as he proceeds. This would take such a person about two days; after which, Dougherty's business would be the mere mechanical removal, at convenience. I inclose you a letter from Mr. Milligan, offering his service, which would not cost more than eight or ten days' reasonable compensation. This is necessary for my safety and your satisfaction, as a just caution for the public. You know there are persons, both in and out of the public councils, who will seize every occasion of imputation on either of us, the more difficult to be repelled in this case, in which a negative could not be proved. If you approve of it, therefore, as soon as I am through the review, I will give notice to Mr. Milligan, or any other person whom you will name, to come on immediately. Indeed, it would be well worth while to add to his duty that of covering the books with a little paper, (the good bindings at least,) and filling the vacancies of the presses with paper parings, to be brought from Washington. This would add little more to the time, as he could carry on both operations at once.

Accept the assurances of my constant and affectionate friendship and respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, June 10, 1815.

DEAR SIR,

It is long since we have exchanged a letter, and yet what volumes might have been written on the occurrences even of the last three months. In the first place, peace, God bless it! has returned to put us all again into a course of lawful and laudable pursuits: a new trial of the Bourbons has proved to the world their incompetence to the functions of the station they have occupied: and the recall of the usurper has clothed him with the semblance of a legitimate autocrat. If adversity should have taught him wisdom, of which I have little expectation, he may yet render some service to mankind, by teaching the antient dynasties that they can be changed for misrule, and by wearing down the maritime power of England to limitable and safe dimensions. But it is not possible he should love us; and of that our commerce had sufficient proofs during his power. Our military achievements, indeed, which he is capable of estimating, may in some degree moderate the effect of his aversions; and he may perhaps fancy that we are to become the natural enemies of England, as England herself has so steadily endeavoured to make us, and as some of our own over-zealous patriots would be willing to proclaim; and in this view he may admit a cold toleration of some intercourse and commerce between the two nations. He has certainly had time to see the folly of turning the industry of France from the cultures for which nature has so highly endowed her, to those of sugar, cotton, tobacco, and others, which the same creative power has given to other climates: and on the whole, if he can conquer the passions of his tyrannical soul, if he has understanding enough to pursue from motives of interest, what no moral motives lead him to, the tranquil happiness and prosperity of his country, rather than a ravenous thirst for human blood, his return may become of more advantage than injury to us. And if again some great man could arise in England, who could see and correct the follies of his nation in their conduct as to us, and by exercising justice and comity towards ours, bring both into a state of temperate and useful friendship, it is possible we might thus attain the place we ought to occupy between these two nations, without being degraded to the condition of mere partisans of either.

A little time will now inform us, whether France, within its proper limits, is big enough for its ruler, on the one hand, and whether, on the other, the allied powers are either wicked or foolish enough to attempt the forcing on the French a ruler and government which they refuse? Whether they will risk their own thrones to re-establish that of the Bourbons? If this is attempted, and the European world again committed to war, will the jealousy of England at the commerce which neutrality will give us, induce her again to add us to the number of her enemies, rather than see us prosper in the pursuit of peace and industry? And have our commercial citizens merited from their country its encountering another war to protect their gambling enterprises? That the persons of our citizens shall be safe in freely traversing the ocean, that the transportation of our own produce, in our own vessels, to the markets of our choice, and the return to us of the articles we want for our own use, shall be unmolested, I hold to be fundamental, and that the gauntlet must be for ever hurled at him who questions it. But whether we shall engage in every war of Europe, to protect the mere agency of our merchants and ship-owners in carrying on the commerce of other nations, even were those merchants and ship-owners to take the side of their country in the contest, instead of that of the enemy, is a question of deep and serious consideration, with which, however, you and I shall have nothing to do; so we will leave it to those whom it will concern.

I thank you for making known to me Mr. Ticknor and Mr. Gray. They are fine young men indeed, and if Massachusetts can raise a few more such, it is probable she would be better counselled as to social rights and social duties. Mr. Ticknor is, particularly, the best bibliograph I have met with, and very kindly and opportunely offered me the means of reprocuring some part of the literary treasures which I have ceded to Congress, to replace the devastations of British Vandalism at Washington. I cannot live without books. But fewer will suffice, where amusement, and not use, is the only future object. I am about sending him a catalogue, to which less than his critical knowledge of books would hardly be adequate.

Present my high respects to Mrs. Adams, and accept yourself the assurances of my affectionate attachment.

TH. JEFFERSON.

TO MR. LEIPER.

Monticello, June 12, 1815.

DEAR SIR,

A journey soon after the receipt of your favour of April the 17th, and an absence from home of some continuance, have prevented my earlier acknowledgment of it. In that came safely my letter of January the 2nd, 1814. In our principles of government we differ not at all; nor in the general object and tenor of political measures. We concur in considering the government of England as totally without morality, insolent beyond bearing, inflated with vanity and ambition, aiming at the exclusive dominion of the sea, lost in corruption, of deep rooted hatred towards us, hostile to liberty wherever it endeavours to shew its head, and the eternal disturber of the peace of the world. In our estimate of Buonaparte, I suspect we differ. I view him as a political engine only, and a very wicked one; you, I believe, as both political and religious, and obeying, as an instrument, an unseen hand. I still deprecate his becoming sole lord of the continent of Europe, which he would have been, had he reached in triumph the gates of Petersburgh. The establishment in our day of another Roman empire, spreading vassalage and depravity over the face of the globe, is not, I hope, within the purposes of Heaven. Nor does the return of Buonaparte give me pleasure unmixed; I see in his expulsion of the Bourbons, a valuable lesson to the world, as shewing that its antient dynasties may be changed for their misrule. Should the allied powers presume to dictate a ruler and government to France, and follow the example he had set of parcelling and usurping to themselves their neighbour nations, I hope he will give them another lesson in vindication of the rights of independence and self-government, which himself had heretofore so much abused, and that in this contest he will wear down the maritime power of England to limitable and safe dimensions. So far, good. It cannot be denied, on the other hand, that his successful perversion of the force (committed to him for vindicating the rights and liberties of his country) to usurp its government, and to enchain it under an hereditary despotism, is of baneful effect in encouraging future usurpations, and deterring those under oppression from rising to redress themselves. His restless spirit leaves no hope of peace to the world; and his hatred of us is only a little less than that he bears to England, and England to us. Our form of government is odious to him, as a standing contrast between republican and despotic rule; and as much from that hatred, as from ignorance in political economy, he had excluded intercourse between us and his people, by prohibiting the only articles they wanted from us, that is, cotton and tobacco. Whether the war we have had with England, the achievements of that war, and the hope that we may become his instruments and partisans against that enemy, may induce him, in future, to tolerate our commercial intercourse with his people, is still to be seen. For my part, I wish that all nations may recover and retain their independence; that those which are overgrown may not advance beyond safe measures of power, that a salutary balance may be ever maintained among nations, and that our peace, commerce, and friendship, may be sought and cultivated by all. It is our business to manufacture for ourselves hatever we can, to keep all markets open for what we can are or want; and the less we have to do with the amities or enmities of Europe, the better. Not in our day, but at no distant one, we may shake a rod over the heads of all, which may make the stoutest of them tremble. But I hope our wisdom will grow with our power, and teach us that the less we use our power, the greater it will be.

The federal misrepresentation of my sentiments, which occasioned my former letter to you, was gross enough; but that and all others are exceeded by the impudence and falsehood of the printed extract you sent me from Ralph's paper. That a continuance of the embargo for two months longer would have prevented our war; that the non-importation law which succeeded it was a wise and powerful measure, I have constantly maintained. My friendship for Mr. Madison, my confidence in his wisdom and virtue, and my approbation of all his measures, and especially of his taking up at length the gauntlet against England, is known to all with whom I have ever conversed or corresponded on these measures. The word *federal*, or its synonyma *lie*, may therefore be written under every word of Mr. Ralph's paragraph. I have ransacked my memory to recollect any incident which might have given countenance to any particle of it, but I find none. For if you will except the bringing into power and importance those who were enemies to himself as well as to the principles of republican government, I do not recollect a single measure of the President which I have not approved. Of those under him, and of some very near him, there have been many acts of which we have all disapproved, and he more than we. We have at times dissented from the measures, and lamented the dilatoriness of Congress. I recollect an instance the first winter of the war, when, from sloth of proceedings, an embargo was permitted to run through the winter, while the enemy could not cruise, nor consequently restrain the exportation of our whole produce, and was taken off in the spring, as soon as they could resume their stations. But this procrastination is unavoidable. How can expedition be expected from a body which we have saddled with an hundred lawyers, whose trade is talking? But lies, to sow divisions among us, is so stale an artifice of the federal prints, and are so well understood, that they need neither contradiction nor explanation. As to myself, my confidence in the wisdom and integrity of the administration is so entire, that I scarcely notice what is passing, and have almost ceased to read newspapers. Mine remain in our post-office a week or ten days, sometimes, unasked for. I find more amusement in studies to which I was always more attached, and from which I was dragged by the events of the times in which I have happened to live.

I rejoice exceedingly that our war with England was single-handed. In that of the revolution, we had France, Spain, and Holland on our side, and the credit of its success was given to them. On the late occasion, unprepared and unexpecting war, we were compelled to declare it, and to receive the attack of England, just issuing from a general war, fully armed, and freed from all other enemies, and have not only made her sick of it, but glad to prevent by a peace, the capture of her adjacent possessions, which one or two campaigns more would infallibly have made ours. She has found that we can do her more injury than any other enemy on earth, and henceforth will better estimate the value of our peace. But whether her government has power, in opposition to the aristocracy of her navy, to restrain their piracies within the limits of national rights, may well be doubted. I pray, therefore, for peace, as best for all the world, best for us, and best for me, who have already lived to see three wars, and now pant for nothing more than to be permitted to depart in peace.

That you also, who have longer to live, may continue to enjoy this blessing with health and prosperity, through as long a life as you desire, is the prayer of yours affectionately.

TH. JEFFERSON.

P. S. June the 14th. Before I had sent my letter to the post-office, I received the new treaty of the allied powers, declaring that the French nation shall not have Buonaparte, and shall have Louis XVIII. for their ruler. They are all then as great rascals as Buonaparte himself. While he was in the wrong I wished him exactly as much success as would answer our purposes, and no more. Now that they are wrong and he in the right, he shall have all my prayers for success, and that he may dethrone every man of them. T. J.

TO JOHN ADAMS.

Monticello, August 10, 1815.

Dear Sir,

The simultaneous movements in our correspondence have remarkable on several occasions. It would seem as if state of the air or the state of the times, or some other nown cause, produced a sympathetic effect on our mutual ollections. I had sat down to answer your letters of June 19th, 20th, and 22nd, with pen, ink, and paper before me, en I received from our mail that of July the 30th. You information on the subject of Camus. All I recollect of is, that he was one of the deputies sent to arrest Dumour at the head of his army, who were, however, themselves ested by Dumourier, and long detained as prisoners. I esume, therefore, he was a Jacobin. You will find his aracter in the most excellent revolutionary history of Toungeon. I believe also, he may be the same person who has en us a translation of Aristotle's Natural History, from Greek into French. Of his report to the National Institute on the subject of the Bollandists, your letter gives me the first information. I had supposed them defunct with the society of Jesuits, of which they were; and that their works, although above ground, were, from their bulk and insignificance, as effectually entombed on their shelves, as if in the graves of their authors. Fifty-two volumes in folio, of the *acta sanctorum*, in dog-Latin, would be a formidable enterprise to the most laborious German. I expect, with you, they are the most enormous mass of lies, frauds, hypocrisy, and imposture, that ever was heaped together on this globe. By what chemical process M. Camus supposed that an extract of truth could be obtained from such a farrago of falsehood, I must leave to the chemists and moralists of the age to divine.

On the subject of the history of the American Revolution, you ask who shall write it? Who can write it? And who will ever be able to write it? Nobody; except merely its external facts; all its councils, designs, and discussions having been conducted by Congress with closed doors, and no member, as far as I know, having even made notes of them. These, which are the life and soul of history, must for ever be unknown. Botta, as you observe, has put his own speculations and reasonings into the mouths of persons whom he names, but who, you and I know, never made such speeches. In this he has followed the example of the antients, who made their great men deliver long speeches, all of them in the same style, and in that of the author himself. The work is nevertheless a good one, more judicious, more chaste, more classical, and more true, than the party diatribe of Marshall. Its greatest fault is in having taken too much from him. I possessed the work, and often recurred to considerable portions of it, although I never read it through. But a very judicious and well informed neighbour of mine went through it with great attention, and spoke very highly of it. I have said that no member of the old Congress, as far as I knew, made notes of the discussions. I did not know of the speeches you mention of Dickenson and Witherspoon. But on the questions of Independence, and on the two articles of Confederation respecting taxes and voting, I took minutes of the heads of the arguments. On the first, I threw all into one mass, without ascribing to the speakers their respective arguments; pretty much in the manner of Hume's summary digests of the reasonings in parliament for and against a measure. On the last, I stated the heads of arguments used by each speaker. But the whole of my notes on the question of Independence does not occupy more than five pages, such as of this letter; and on the other questions, two such sheets. They have never been communicated to any one. Do you know that there exists in manuscript the ablest work of this kind ever yet executed, of the debates of the constitutional convention of Philadelphia in 1788? The whole of every thing said and done there was taken down by Mr. Madison, with a labour and exactness beyond comprehension.

I presume that our correspondence has been observed at the post-offices, and thus has attracted notice. Would you believe, that a printer has had the effrontery to propose to me the letting him publish it? These people think they have a right to every thing, however secret or sacred. I had not before heard of the Boston pamphlet, with Priestley's letters and mine.

At length Buonaparte has got on the right side of a question. From the time of his entering the legislative hall to his retreat to Elba, no man has execrated him more than myself. I will not except even the members of the Essex Junto: although for very different reasons; I, because he was warring against the liberty of his own country, and independence of others; they, because he was the enemy of England, the Pope, and the Inquisition. But at length, and as far as we can judge, he seems to have become the choice of his nation. At least, he is defending the cause of his nation, and that of all mankind, the rights of every people to independence and self-government. He and the allies have now changed sides. They are parcelling out among themselves Poland, Belgium, Saxony, Italy, dictating a ruler and government to France, and looking askance at our republic, the splendid libel on their governments, and he is fighting for the principles of national independence, of which his whole life hitherto has been a continued violation. He has promised a free government to his own country, and to respect the rights of others; and although his former conduct inspires little confidence in his promises, yet we had better take the chance of his word for doing right, than the certainty of the wrong which his adversaries are doing and avowing. If they succeed, ours is only the boon of the Cyclops to Ulysses, of being the last devoured.

Present me affectionately and respectfully to Mrs. Adams, and Heaven give you both as much more of life as you wish, and bless it with health and happiness.

TH. JEFFERSON.

P. S. August the 11th. I had finished my letter yesterday, and this morning receive the news of Buonaparte's second abdication. Very well. For him personally, I have no feeling but reprobation. The representatives of the nation have deposed him. They have taken the allies at their word, that they had no object in the war but his removal. The nation is now free to give itself a good government, either with or without a Bourbon; and France, unsubdued, will still be a bridle on the enterprises of the combined powers, and a bulwark to others. T. J.

TO BENJAMIN AUSTIN.

Monticello, January 9, 1816.

DEAR SIR,

I acknowledge with pleasure your letter of the 9th of December last.

Your opinions on the events which have taken place in France, are entirely just, so far as these events are yet developed. But we have reason to suppose, that they have not reached their ultimate termination. There is still an awful void between the present, and what is to be the *last chapter* of that history; and I fear it is to be filled with abominations, as frightful as those which have already disgraced it. That nation is too high-minded, has too much innate force, intelligence, and elasticity, to remain quiet under its present compression. Samson will arise in his strength, and probably will, ere long, burst asunder the cords and the webs of the Philistines. But what are to be the scenes of havoc and horror, and how widely they may spread between the brethren of one family, our ignorance of the interior feuds and antipathies of the country places beyond our view. Whatever may be the convulsions, we cannot but indulge the pleasing hope, they will end in the permanent establishment of a representative government; a government in which the will of the people will be an effective ingredient. This important element has taken root in the European mind, and will have its growth. Their rulers, sensible of this, are already offering this modification of their governments, under the plausible pretence that it is a voluntary concession on their part. Had Buonaparte used his legitimate power honestly, for the establishment and support of a free government, France would now have been in prosperity and rest, and her example operating for the benefit of mankind, every nation in Europe would eventually have founded a government, over which the will of the people would have had a powerful control. His improper conduct, however, has checked the salutary progress of principle; but the object is fixed in the eye of nations, and they will press to its accomplishment, and to the general amelioration of the condition of man. What a germ have the freemen of the United States planted, and how faithfully should they cherish the parent tree at home. Chagrin and mortification are the punishments our enemies receive.

You tell me I am quoted by those who wish to continue our dependence on England for manufactures. There was a time when I might have been so quoted with more candour. But within the thirty years which have since elapsed, how are circumstances changed! We were then in peace; our independent place among nations was acknowledged. A commerce which offered the raw material, in exchange for the same material after receiving the last touch of industry, was worthy of welcome to all nations. It was expected, that those especially to whom manufacturing industry was important, would cherish the friendship of such customers by every favour, and particularly cultivate their peace by every act of justice and friendship. Under this prospect, the question seemed legitimate, whether, with such an immensity of unimproved land, courting the hand of husbandry, the industry of agriculture, or that of manufactures, would add most to the national wealth? And the doubt on the utility of the American manufactures was entertained on this consideration, chiefly, that to the labour of the husbandman a vast addition is made by the spontaneous energies of the earth on which it is employed. For one grain of wheat committed to the earth, she renders twenty, thirty, and even fifty fold; whereas to the labour of the manufacturer nothing is added. Pounds of flax, in his hands, on the contrary, yield but pennyweights of lace. This exchange too, laborious as it might seem, what a field did it promise for the occupation of the ocean; what a nursery for that class of citizens who were to exercise and maintain our equal rights on that element? This was the state of things in 1785, when the Notes on Virginia were first published; when, the ocean being open to all nations, and their common right in it acknowledged, and exercised under regulations sanctioned by the assent and usage of all, it was thought that the doubt might claim some consideration.

But who, in 1785, could foresee the rapid depravity which was to render the close of that century a disgrace to the history of man? Who could have imagined that the two most distinguished in the rank of nations, for science and civilization, would have suddenly descended from that honourable eminence, and, setting at defiance all those moral laws established by the Author of Nature between nation and nation, as between man and man, would cover earth and sea with robberies and piracies, merely because strong enough to do it with temporal impunity, and that under this disbandment of nations from social order, we should have been despoiled of a thousand ships, and have thousands of our citizens reduced to Algerine slavery. Yet all this has taken place. The British interdicted to our vessels all harbours of the globe, without having first proceeded to some one of hers, there paid a tribute proportioned to the cargo, and obtained her license to proceed to the port of destination. The French declared them to be lawful prize if they had touched at the port, or been visited by a ship of the enemy nation. Thus were we completely excluded from the ocean. Compare this state of things with that of '85, and say whether an opinion founded in the circumstances of that day, can be fairly applied to those of the present. We have experienced, what we did not then believe, that there exist both profligacy and power enough to exclude us from the field of interchange with other nations. That to be independent for the comforts of life, we must fabricate them ourselves. We must now place the manufacturer by the side of the agriculturist. The former question is suppressed, or rather assumes a new form. The grand inquiry now is, shall we make our own comforts, or go without them at the will of a foreign nation? He, therefore, who is now against domestic manufacture, must be for reducing us either to dependence on that foreign nation, or to be clothed in skins, and to live like wild beasts in dens and caverns. I am not one of these. Experience has taught me that manufactures are now as necessary to our independence as to our comfort; and if those who quote me as of a different opinion, will keep pace with me in purchasing nothing foreign, where an equivalent of domestic fabric can be obtained, without regard to difference of price, it will not be our fault if we do not soon have a supply at home equal to our demand, and wrest that weapon of distress from the hand which has so long wantonly wielded it. If it shall be proposed to go beyond our own supply, the question of '85 will then recur, will our surplus labour be then more beneficially employed in the culture of the earth, or in the fabrications of art? We have time yet for consideration, before that question will press upon us; and the maxim to be applied will depend on the circumstances which shall then exist. For in so complicated a science as political economy, no one axiom can be laid down as wise and expedient for all times and circumstances. Inattention to this is what has called for this explanation, which reflection would have rendered unnecessary with the candid, while nothing will do it with those who use the former opinion only as a stalking horse to cover their disloyal propensities to keep us in eternal vassalage to a foreign and unfriendly people.

I salute you with assurances of great respect and esteem.

TH: JEFFERSON.

TO DABNEY CARR.

Monticello, January 19, 1816.

DEAR SIR,

At the date of your letter of December the 1st, I was in Bedford, and since my return, so many letters accumulated during my absence, have been pressing for answers, that this is the first moment I have been able to attend to the subject of yours. While Mr. Girardin was in this neighbourhood, writing his continuation of Burke's history, I had suggested to him a proper notice of the establishment of the committee of correspondence here in 1773, and of Mr. Carr, your father, who introduced it. He has doubtless done this, and his work is now in the press. My books, journals of the times, &c. being all gone, I have nothing now but an impaired memory to resort to for the more particular statement you wish. But I give it with the more confidence, as I find that I remember old things better than new. The transaction took place in the session of Assembly of March 1773. Patrick Henry, Richard Henry Lee, Frank Lee, your father and myself, met by agreement, one evening, about the close of the session, at the Raleigh Tavern, to consult on the measures which the circumstances of the times seemed to call for. We agreed, in result, that concert in the operations of the several Colonies was indispensable; and that to produce this, some channel of correspondence between them must be opened: that, therefore, we would propose to our House the appointment of a committee of correspondence, which should be authorised and instructed to write to the Speakers of the House of Representatives of the several Colonies, recommending the appointment of similar committees on their part, who, by a communication of sentiment on the transactions threatening us all, might promote a harmony of action salutary to all. This was the substance, not pretending to remember words. We proposed the resolution, and your father was agreed on to make the motion. He did it the next day, March the 12th, with great ability, reconciling all to it, not only by the reasonings, but by the temper and moderation with which it was developed. It was adopted by a very general vote. Peyton Randolph, some of us who proposed it, and who else I do not remember, were appointed of the committee. We immediately despatched letters by expresses, to the Speakers of all the other Assemblies. I remember that Mr. Carr and myself, returning home together, and conversing on the subject by the way, concurred in the conclusion, that that measure must inevitably beget the meeting of a Congress of Deputies from all the Colonies, for the purpose of uniting all in the same principles and measures for the maintenance of our rights. My memory cannot deceive me, when I affirm that we did it in consequence of no such proposition from any other Colony. No doubt, the resolution itself, and the journals of the day, will shew that ours was original, and not merely responsive to one from any other quarter. Yet, I am certain I remember also, that a similar proposition, and nearly cotemporary, was made by Massachusetts, and that our northern messenger passed theirs on the road. This too, may be settled by recurrence to the records of Massachusetts. The proposition was generally acceded to by the other Colonies, and the first effect, as expected, was the meeting of a Congress at New York the ensuing year. The committee of correspondence appointed by Massachusetts, as quoted by you from Marshall, under the date of 1770, must have been for a special purpose, and *functus officio* before the date of 1773, or Massachusetts herself would not then have proposed another. Records should be examined to settle this accurately. I well remember the pleasure expressed in the countenance and conversation of the members generally, on this *début* of Mr. Carr, and the hopes they conceived as well from the talents as the patriotism it manifested. But he died within two months after, and in him we lost a powerful fellow labourer. His character was of a high order. A spotless integrity, sound judgment, handsome imagination, enriched by education and reading, quick and clear in his conceptions, of correct and ready elocution, impressing every hearer with the sincerity of the heart from which it flowed. His firmness was inflexible in whatever he thought was right: but when no moral principle stood in the way, never had man more of the milk of human kindness, of indulgence, of softness, of pleasantry in conversation and conduct. The number of his friends, and the warmth of their affection, were proofs of his worth, and of their estimate of it. To give to those now living, an idea of the affliction produced by his death in the minds of all who knew him, I liken it to that lately felt by themselves on the death of his eldest son, Peter Carr, so like him in all his endowments and moral qualities, and whose recollection can never recur without a deep drawn sigh from the bosom of any one who knew him. You mention that I shewed you an inscription I had proposed for the tombstone of your father. Did I leave it in your hands to be copied? I ask the question, not that I have any such recollection, but that I find it no longer in the place of its deposit, and think I never took it out but on that occasion.

Ever and affectionately yours.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, April 8, 1816.

DEAR SIR,

have to acknowledge your two favours of February the and March the 2nd, and to join sincerely in the senti- of Mrs. Adams, and regret that distance separates us so y. An hour of conversation would be worth a volume etters. But we must take t s as they come.

ou ask, if I would agree t ive my seventy or rather nty-three years over again? o which I say, yea. I with you, that it is a good rld on the whole; that it een framed on a principle of nevolence, and more plea- than pain dealt out to us. There are, indeed, (who might nay) gloomy and hypochondriac minds, inhabitants of sed bodies, disgusted with the present, and despairing of future; always counting that the worst will happen, be- e it may happen. To these I say, how much pain have us the evils which have ne appened! My tempera- is sanguine. I steer my with Hope in the head, leaving Fear astern. My hopes, indeed, sometimes fail; but not oftener than the forebodings of the gloomy. There are, I acknowledge, even in the happiest life, some terrible convulsions, heavy set-offs against the opposite page of the account. I have often wondered for what good end the sensations of grief could be intended. All our other passions, within proper bounds, have an useful object. And the perfection of the moral character is, not in a stoical apathy, so hypocritically vaunted, and so untruly too, because impossible, but in a just equilibrium of all the passions. I wish the pathologists then would tell us what is the use of grief in the economy, and of what good it is the cause, proximate or remote.

Did I know Baron Grimm while at Paris? Yes, most intimately. He was the pleasantest and most conversable member of the diplomatic corps while I was there: a man of good fancy, acuteness, irony, cunning, and egoism. No heart, not much of any science, yet enough of every one to speak its language: his forte was belles lettres, painting, and sculpture. In these he was the oracle of the society, and as such, was the Empress Catharine's private correspondent and factor, in all things not diplomatic. It was through him I got her permission for poor Ledyard to go to Kamtschatka, and cross over thence to the western coast of America, in order to penetrate across our continent in the opposite direction to that afterwards adopted for Lewis and Clarke: which permission she withdrew after he had got within two hundred miles of Kamtschatka, had him seized, brought back, and set down in Poland. Although I never heard Grimm express the opinion directly, yet I always supposed him to be of the school of Diderot, D'Alembert, D'Holbach; the first of whom committed his system of atheism to writing in '*Le bon Sens*,' and the last in his '*Système de la Nature*.' It was a numerous school in the Catholic countries, while the infidelity of the Protestant took generally the form of theism. The former always insisted that it was a mere question of definition between them, the hypostasis of which, on both sides, was '*Nature*,' or '*the Universe*:' that both agreed in the order of the existing system, but the one supposed it from eternity, the other as having begun in time. And when the atheist descanted on the unceasing motion and circulation of matter through the animal, vegetable, and mineral kingdoms, never resting, never annihilated, always changing form, and under all forms gifted with the power of reproduction; the theist, pointing 'to the heavens above, and to the earth beneath, and to the waters under the earth,' asked, if these did not proclaim a first cause, possessing intelligence and power; power in the production, and intelligence in the design and constant preservation of the system; urged the palpable existence of final causes; that the eye was made to see, and the ear to hear, and not that we see because we have eyes, and hear because we have ears; an answer obvious to the senses, as that of walking across the room, was to the philosopher demonstrating the non-existence of motion. It was in D'Holbach's conventicles that Rousseau imagined all the machinations against him were contrived; and he left, in his Confessions, the most biting anecdotes of Grimm. These appeared after I left France; but I have heard that poor Grimm was so much afflicted by them, that he kept his bed several weeks. I have never seen the Memoirs of Grimm. Their volume has kept them out of our market.

I have been lately amusing myself with Levi's book, in answer to Dr. Priestley. It is a curious and tough work. His style is inelegant and incorrect, harsh and petulant to his adversary, and his reasoning flimsy enough. Some of his doctrines were new to me, particularly that of his two resurrections: the first, a particular one of all the dead, in body as

well as soul, who are to live over again, the Jews in a state of perfect obedience to God, the other nations in a state of cor-
eal punishment for the sufferings they have inflicted on the
s. And he explains this resurrection of bodies to be
of the original stamen of Leibnitz, or the human *calus* in
me masculino, considering that, as a mathematical point,
sceptible of separation or division. The second resurrec-
, a general one of souls and bodies, eternally to enjoy
e glory in the presence of the Supreme Being. He
s that the Jews alone preserve the doctrine of the unity
d. Yet their God would be deemed a very indifferent
with us: and it was to correc their anamorphosis of the
y, that Jesus preached, as well s to establish the doctrine
future state. However, Levi sists, that that was taught
e Old Testament, and eve y Moses himself and the
hets. He agrees that an ed prince was prophesied
promised: but denies tha character and history of
s had any analogy with th he person promised. He
be fearfully embarrassing he Hierophants of fabri-
l christianity; because it their own armour in which
lothes himself for th ck. For example, he takes
ges of scripture fro text, (which would give
a very different m ings them together, and
makes them point towards what object he pleases; he interprets them figuratively, typically, analogically, hyperbolically; he calls in the aid of emendation, transposition, ellipsis, metonymy, and every other figure of rhetoric; the name of one man is taken for another, one place for another, days and weeks for months and years; and, finally, he avails himself of all his advantage over his adversaries by his superior knowledge of the Hebrew, speaking in the very language of the divine communication, while they can only fumble on with conflicting and disputed translations. Such is this war of giants. And how can such pigmies as you and I decide between them? For myself, I confess, that my head is not formed *tantas componere lites*. And as you began yours of March the 2nd, with a declaration, that you were about to write me the most frivolous letter I had ever read, so I will close mine by saying, I have written you a full match for it, and by adding my affectionate respects to Mrs. Adams, and the assurance of my constant attachment and consideration for yourself.

TH. JEFFERSON.

TO JOHN TAYLOR.

Monticello, May 28, 1816.

DEAR SIR,

On my return from a long journey and considerable absence from home, I found here the copy of your 'Enquiry into the principles of our government,' which you had been so kind as to send me; and for which I pray you to accept my thanks. The difficulties of getting new works in our situation, inland and without a single bookstore, are such as had prevented my obtaining a copy before; and letters which had accumulated during my absence, and were calling for answers, have not yet permitted me to give to the whole a thorough reading: yet certain that you and I could not think differently on the fundamentals of rightful government, I was impatient, and availed myself of the intervals of repose from the writing-table, to obtain a cursory idea of the body of the work.

I see in it much matter for profound reflection; much which should confirm our adhesion, in practice, to the good principles of our constitution, and fix our attention on what is yet to be made good. The sixth section on the good moral principles of our government, I found so interesting and replete with sound principles, as to postpone my letter writing to its thorough perusal and consideration. Besides much other good matter, it settles unanswerably the right of instructing representatives, and their duty to obey. The system of banking we have both equally and ever reprobated. I contemplate it as a blot left in all our constitutions, which, if not covered, will end in their destruction, which is already hit by the gamblers in corruption, and is sweeping away in its progress the fortunes and morals of our citizens. Funding I consider as limited, rightfully, to a redemption of the debt within the lives of a majority of the generation contracting it; every generation coming equally, by the laws of the Creator of the world, to the free possession of the earth he made for their subsistence, unincumbered by their predecessors, who, like them, were but tenants for life. You have successfully and completely pulverised Mr. Adams's system of orders, and his opening the mantle of republicanism to every government of laws, whether consistent or not with natural right. Indeed, it must be acknowledged, that the term *republic* is of very vague application in every language. Witness the self-styled republics of Holland, Switzerland, Genoa, Venice, Poland. Were

I to assign to this term a precise and definite idea, I would say that, purely and simply, it means a government by its citizens in mass, acting directly and personally, according to rules established by the majority: and that every other government is more or less republican, in proportion as it has in its composition, more or less of this ingredient of the direct action of the citizens. Such a government is evidently restrained to very narrow limits of space and population. I doubt if it would be practicable beyond the extent of a New England township. The first shade from this pure element, which, like that of pure vital air, cannot sustain life of itself, would be where the powers of the government, being divided, should be exercised each by representatives chosen by the citizens either *pro hâc vice*, or for such short terms as should render secure the duty of expressing the will of their constituents. This I should consider as the nearest approach to a pure republic, which is practicable on a large scale of country or population. And we have examples of it in some of our State constitutions, which, if not poisoned by priestcraft, would prove its excellence over all mixtures with other elements; and, with only equal doses of poison, would still be the best. Other shades of republicanism may be found in other forms of government, where the executive, judiciary, and legislative functions, and the different branches of the latter, are chosen by the people more or less directly, for longer terms of years, or for life, or made hereditary; or where there are mixtures of authorities, some dependent on, and others independent of the people. The further the departure from direct and constant control by the citizens, the less has the government of the ingredient of republicanism; evidently none where the authorities are hereditary, as in France, Venice, &c., or self-chosen, as in Holland; and little, where for life, in proportion as the life continues in being after the act of election.

The purest republican feature in the government of our own State, is the House of Representatives. The Senate is equally so the first year, less the second, and so on. The Executive still less, because not chosen by the people directly. The Judiciary seriously anti-republican, because for life; and the national arm wielded, as you observe, by military leaders, irresponsible but to themselves. Add to this the vicious constitution of our county courts (to whom the justice, the executive administration, the taxation, police, the military appointments of the county, and nearly all our daily concerns are confided,) self-appointed, self-continued, holding their authorities for life, and with an impossibility of breaking in on the perpetual succession of any faction once possessed of the bench. They are in truth, the executive, the judiciary, and the military of their respective counties, and the sum of the counties makes the State. And add, also, that one half of our brethren who fight and pay taxes, are excluded, like Helots, from the rights of representation, as if society were instituted for the soil, and not for the men inhabiting it; or one half of these could dispose of the rights and the will of the other half, without their consent.

> 'What constitutes a State?
> Not high-raised battlements, or labor'd mound,
> Thick wall, or moated gate;
> Not cities proud, with spires and turrets crown'd;
> No: men, high-minded men;
> Men, who their duties know;
> But know their rights; and, knowing, dare maintain.
> These constitute a State.'

In the General Government, the House of Representatives is mainly republican; the Senate scarcely so at all, as not elected by the people directly, and so long secured even against those who do elect them; the Executive more republican than the Senate, from its shorter term, its election by the people, *in practice*, (for they vote for A only on an assurance that he will vote for B) and because, *in practice also*, a principle of rotation seems to be in a course of establishment; the judiciary independent of the nation, their coercion by impeachment being found nugatory.

If then, the control of the people over the organs of their government be the measure of its republicanism, and I confess I know no other measure, it must be agreed that our governments have much less of republicanism than ought to have been expected; in other words, that the people have less regular control over their agents, than their rights and their interest require. And this I ascribe, not to any want of republican dispositions in those who formed these constitutions, but to a submission of true principle to European authorities, to speculators on government, whose fears of the people have been inspired by the populace of their own great cities, and were unjustly entertained against the independent, the happy, and therefore orderly citizens of the United States. Much I apprehend that the golden moment is past for reforming these heresies. The functionaries of public power rarely strengthen in their dispositions to abridge it, and an unorganized call for timely amendment, is not likely to prevail against an unorganized opposition to it. We are always told that things are going on well; why change them? '*Chi sta bene, non si muove*,' says the Italian, 'let him who stands well, stand still.' This is true; and I verily believe they would go on well with us under an absolute monarch, while our present character remains, of order, industry, and love of peace, and restrained, as he would be, by the proper spirit of the people. But it is while it remains such, we should provide against the consequences of its deterioration. And let us rest in the hope that it will yet be done, and spare ourselves the pain of evils which may never happen.

On this view of the import of the term *republic*, instead of saying, as has been said, 'that it may mean any thing or nothing,' we may say with truth and meaning, that governments are more or less republican, as they have more or less of the element of popular election and control in their composition: and believing, as I do, that the mass of the citizens is the safest depository of their own rights, and especially, that the evils flowing from the duperies of the people, are less injurious than those from the egoism of their agents, I am a friend to that composition of government which has in it the most of this ingredient. And I sincerely believe, with you, that banking establishments are more dangerous than standing armies; and that the principle of spending money to be paid by posterity, under the name of funding, is but swindling futurity on a large scale.

I salute you with constant friendship and respect.

TH. JEFFERSON.

TO FRANCIS W. GILMER.

Monticello, June 7, 1816.

DEAR SIR,

I received a few days ago from Mr. Dupont the inclosed manuscript, with permission to read it, and a request, when read, to forward it to you, in expectation that you would translate it. It is well worthy of publication for the instruction of our citizens, being profound, sound, and short. Our legislators are not sufficiently apprised of the rightful limits of their powers: that their true office is to declare and enforce only our natural rights and duties, and to take none of them from us. No man has a natural right to commit aggression on the equal rights of another; and this is all from which the laws ought to restrain him: every man is under the natural duty of contributing to the necessities of the society; and this is all the laws should enforce on him: and, no man having a natural right to be the judge between himself and another, it is his natural duty to submit to the umpirage of an impartial third. When the laws have declared and enforced all this, they have fulfilled their functions, and the idea is quite unfounded, that on entering into society we give up any natural right. The trial of every law by one of these texts, would lessen much the labours of our legislators, and lighten equally our municipal codes. There is a work of the first order of merit now in the press at Washington, by Destutt Tracy, on the subject of political economy, which he brings into the compass of three hundred pages, octavo. In a preliminary discourse on the origin of the right of property, he coincides much with the principles of the present manuscript; but is more developed, more demonstrative. He promises a future work on morals, in which I lament to see, that he will adopt the principles of Hobbes, or humiliation to human nature; that the sense of justice and injustice is not derived from our natural organization, but founded on convention only. I lament this the more, as he is unquestionably the ablest writer living, on abstract subjects. Assuming the fact, that the earth has been created in time, and consequently the dogma of final causes, we yield, of course, to this short syllogism. Man was created for social intercourse; but social intercourse cannot be maintained without a sense of justice; then man must have been created with a sense of justice. There is an error into which most of the speculators on government have fallen, and which the well known state of society of our Indians ought, before now, to have corrected. In their hypothesis of the origin of government, they suppose it to have commenced in the patriarchal or monarchical form. Our Indians are evidently in that state of nature which has passed the association of a single family; and not yet submitted to the authority of positive laws, or of any acknowledged magistrate. Every man, with them, is perfectly free to follow his own inclinations. But if, in doing this, he violates the rights of another, if the case be slight, he is punished by the disesteem of his society, or, as we say, by public opinion; if serious, he is tomahawked as a dangerous enemy. Their leaders conduct them by the influence of their character only; and they follow, or not, as they please, him of whose character for wisdom or war they have the highest opinion. Hence the origin of the parties among them adhering to different leaders, and governed by their advice, not by their command. The Cherokees, the only tribe I know to be contemplating the establishment of regular laws, magistrates, and government, propose a government of representatives, elected from every town. But of all things, they least think of subjecting themselves to the will of one man. This, the only instance of actual fact within our knowledge, will be then a beginning by republican, and no by patriarchal or monarchical government, as speculative writers have generally conjectured.

We have to join in mutual congratulations on the appointment of our friend Correa, to be minister or envoy of Portugal here. This, I hope, will give him to us for life. Nor will it at all interfere with his botanical rambles or journies. The government of Portugal is so peaceable and inoffensive, that it has never any altercations with its friends. If their minister abroad writes them once a quarter that all is well, they desire no more. I learn (though not from Correa himself), that he thinks of paying us a visit as soon as he is through his course of lectures. Not to lose this happiness again by my absence, I have informed him I shall set out for Poplar Forest, the 20th instant, and be back the first week of July. I wish you and he could concert your movements so as to meet here, and that you would make this your head-quarters. It is a good central point from which to visit your connections; and you know our practice of placing our guests at their ease, by shewing them we are so ourselves, and that we follow our necessary vocations, instead of fatiguing them by hanging unremittingly on their shoulders.

I salute you with affectionate esteem and respect.

TH. JEFFERSON.

TO WILLIAM H. CRAWFORD.

Monticello, June 20, 1816.

DEAR SIR,

I am about to sin against all discretion, and knowingly, by adding to the drudgery of your letter-reading, this acknowledgment of the receipt of your favour of May the 31st, with the papers it covered. I cannot, however, deny myself the gratification of expressing the satisfaction I have received, not only from the general statement of affairs at Paris, in yours of December the 12th, 1814, (as a matter of history, which I had not before received,) but most especially and superlatively, from the perusal of your letter, of the 8th of the same month, to Mr. Fisk, on the subject of drawbacks. This most heterogeneous principle was transplanted into ours from the British system, by a man whose mind was really powerful, but chained by native partialities to every thing English; who had formed exaggerated ideas of the superior perfection of the English constitution, the superior wisdom of their government, and sincerely believed it for the good of this country to make them their model in every thing; without considering that what might be wise and good for a nation essentially commercial, and entangled in complicated intercourse with numerous and powerful neighbours, might not be so for one essentially agricultural, and insulated by nature from the abusive governments of the old world.

The exercise, by our own citizens, of so much commerce as may suffice to exchange our superfluities for our wants, may be advantageous for the whole. But it does not follow, that with a territory so boundless, it is the interest of the whole to become a mere city of London, to carry on the business of one half the world at the expense of eternal war with the other half. The agricultural capacities of our country constitute its distinguishing feature; and the adapting our policy and pursuits to that, is more likely to make us a numerous and happy people, than the mimickry of an Amsterdam, a Hamburgh, or a city of London. Every society has a right to fix the fundamental principles of its association, and to say to all individuals, that, if they contemplate pursuits beyond the limits of these principles, and involving dangers which the society chooses to avoid, they must go somewhere else for their exercise; that we want no citizens, and still less ephemeral and pseudo-citizens, on such terms. We may exclude them from our territory, as we do persons infected with disease. Such is the situation of our country. We have most abundant resources of happiness within ourselves, which we may enjoy in peace and safety, without permitting a few citizens, infected with the mania of rambling and gambling, to bring danger on the great mass engaged in innocent and safe pursuits at home. In your letter to Fisk, you have fairly stated the alternatives between which we are to choose: 1. licentious commerce, and gambling speculations for a few, with eternal war for the many; or, 2. restricted commerce, peace, and steady occupations for all. If any State in the Union will declare that it prefers separation, with the first alternative, to a continuance in union without it, I have no hesitation in saying, 'let us separate.' I would rather the States should withdraw, which are for unlimited commerce and war, and confederate with those alone which are for peace and agriculture. I know that every nation in Europe would join in sincere amity with the latter, and hold the former at arm's length, by jealousies, prohibitions, restrictions, vexations, and war. No earthly consideration could induce my consent to contract such a debt as England has by her wars for commerce, to reduce our citizens, by taxes, to such wretchedness, as that labouring sixteen of the twenty-four hours, they are still unable to afford themselves bread, or barely to earn as much oatmeal or potatoes as will keep soul and body together. And all this to feed the avidity of a few millionary merchants, and to keep up one thousand ships of war for the protection of their commercial speculations. I returned from Europe after our government had got under way, and had adopted from the British code the law of drawbacks. I early saw its effects in the jealousies and vexations of Britain; and that, retaining it, we must become, like her, an essentially warring nation, and meet, in the end, the catastrophe impending over her. No one can doubt that this alone produced the orders of council, the depredations which preceded, and the war which followed them. Had we carried but our own produce, and brought back but our own wants, no nation would have troubled us. Our commercial dashers, then, have already cost us so many thousand lives, so many millions of dollars, more than their persons and all their commerce were worth. When war was declared, and especially after Massachusetts, who had produced it, took side with the enemy waging it, I pressed on some confidential friends in Congress to avail us of the happy opportunity of repealing the drawback; and I do rejoice to find that you are in that sentiment. You are young, and may be in the way of bringing it into effect. Perhaps time, even yet, and change of tone, (for there are symptoms of that in Massachusetts,) may not have obliterated altogether the sense of our late feelings and sufferings; may not have induced oblivion of the friends we have lost, the depredations and conflagrations we have suffered, and the debts we have incurred, and have to labour for through the lives of the present generation. The earlier the repeal is proposed, the more it will be befriended by all these recollections and considerations. This is one of three great measures necessary to insure us permanent prosperity. This preserves our peace. A second should enable us to meet any war, by adopting the report of the war department, for placing the force of the nation at effectual command: and a third should insure resources of money by the suppression of all paper circulation during peace, and licensing that of the nation alone during war. The metallic medium of which we should be possessed at the commencement of a war, would be a sufficient fund for all the loans we should need through its continuance; and if the national bills issued, be bottomed (as is indispensable) on pledges of specific taxes for their redemption within certain and moderate epochs, and be of proper denominations for circulation, no interest on them would be necessary or just, because they would answer to every one the purposes of the metallic money withdrawn and replaced by them.

But possibly these may be the dreams of an old man, or that the occasions of realising them may have passed away without return. A government regulating itself by what is wise and just for the many, uninfluenced by the local and selfish views of the few who direct their affairs, has not been seen, perhaps, on earth. Or if it existed, for a moment, at the birth of ours, it would not be easy to fix the term of its continuance. Still, I believe, it does exist here in a greater degree than any where else; and for its growth and continuance, as well as for your personal health and happiness, I offer sincere prayers, with the homage of my respect and esteem.

Th. Jefferson.

TO SAMUEL KERCHIVAL.

Monticello, July 12, 1816.

Sir,

I duly received your favour of June the 13th, with the copy of the letters on the calling a convention, on which you are pleased to ask my opinion. I have not been in the habit of mysterious reserve on any subject, nor of buttoning up my opinions within my own doublet. On the contrary, while in public service especially, I thought the public entitled to frankness, and intimately to know whom they employed. But I am now retired: I resign myself, as a passenger, with confidence to those at present at the helm, and ask but for rest, peace, and good will. The question you propose, on equal representation, has become a party one, in which I wish to take no public share. Yet if it be asked for your own satisfaction only, and not to be quoted before the public, I have no motive to withhold it, and the less from you, as it coincides with your own. At the birth of our republic, I committed that opinion to the world in the draught of a constitution annexed to the

Notes on Virginia, in which a provision was inserted for a representation permanently equal. The infancy of the subject at that moment, and our inexperience of self-government, occasioned gross departures in that draught from genuine republican canons. In truth, the abuses of monarchy had so much filled all the space of political contemplation, that we imagined every thing republican which was not monarchy. We had not yet penetrated to the mother principle, that 'governments are republican only in proportion as they embody the will of their people, and execute it.' Hence, our first constitutions had really no leading principle in them. But experience and reflection have but more and more confirmed me in the particular importance of the equal representation then proposed. On that point, then, I am entirely in sentiment with your letters: and only lament that a copyright of your pamphlet prevents their appearance in the newspapers, where alone they would be generally read, and produce general effect. The present vacancy, too, of other matter, would give them place in every paper, and bring the question home to every man's conscience.

But inequality of representation in both Houses of our legislature, is not the only republican heresy in this first essay of our revolutionary patriots at forming a constitution. For let it be agreed that a government is republican in proportion as every member composing it has his equal voice in the direction of its concerns, (not, indeed, in person, which would be impracticable beyond the limits of a city, or small township, but) by representatives chosen by himself, and responsible to him at short periods, and let us bring to the test of this canon every branch of our constitution.

In the legislature, the House of Representatives is chosen by less than half the people, and not at all in proportion to those who do choose. The Senate are still more disproportionate, and for long terms of irresponsibility. In the Executive, the Governor is entirely independent of the choice of the people, and of their control; his Council equally so, and at best but a fifth wheel to a waggon. In the Judiciary, the judges of the highest courts are dependent on none but themselves. In England, where judges were named and removable at the will of an hereditary executive, from which branch most misrule was feared, and has flowed, it was a great point gained, by fixing them for life, to make them independent of that executive. But in a government founded on the public will, this principle operates in an opposite direction, and against that will. There, too, they were still removable on a concurrence of the executive and legislative branches. But we have made them independent of the nation itself. They are irremovable, but by their own body, for any depravities of conduct, and even by their own body for the imbecilities of dotage. The justices of the inferior courts are self-chosen, are for life, and perpetuate their own body in succession for ever, so that a faction once possessing themselves of the bench of a county, can never be broken up, but hold their county in chains, for ever indissoluble. Yet these justices are the real executive as well as judiciary, in all our minor and most ordinary concerns. They tax us at will; fill the office of sheriff, the most important of all the executive officers of the county; name nearly all our military leaders, which leaders, once named, are removable but by themselves. The juries, our judges of all fact, and of law when they choose it, are not selected by the people, nor amenable to them. They are chosen by an officer named by the court and executive. Chosen, did I say? Picked up by the sheriff from the loungings of the court yard, after every thing respectable has retired from it. Where then is our republicanism to be found? Not in our constitution certainly, but merely in the spirit of our people. That would oblige even a despot to govern us republicanly. Owing to this spirit, and to nothing in the form of our constitution, all things have gone well. But this fact, so triumphantly misquoted by the enemies of reformation, is not the fruit of our constitution, but has prevailed in spite of it. Our functionaries have done well, because generally honest men. If any were not so, they feared to shew it.

But it will be said, it is easier to find faults than to amend them. I do not think their amendment so difficult as is pretended. Only lay down true principles, and adhere to them inflexibly. Do not be frightened into their surrender by the alarms of the timid, or the croakings of wealth against the ascendancy of the people. If experience be called for, appeal to that of our fifteen or twenty governments for forty years, and shew me where the people have done half the mischief in these forty years, that a single despot would have done in a single year; or shew half the riots and rebellions, the crimes and the punishments, which have taken place in any single nation, under kingly government, during the same period. The true foundation of republican government is the equal right of every citizen, in his person and property, and in their management. Try by this, as a tally, every provision of our constitution, and see if it hangs directly on the will of the people. Reduce your legislature to a convenient number for full, but orderly discussion. Let every man who fights or pays, exercise his just and equal right in their election. Submit them to approbation or rejection at short intervals. Let the executive be chosen in the same way, and for the same term, by those whose agent he is to be; and leave no screen of a council behind which to skulk from responsibility. It has been thought that the people are not competent electors of judges *learned in the law.* But I do not know that this is true, and if doubtful, we should follow principle. In this, as in many other elections, they would be guided by reputation, which would not err oftener, perhaps, than the present mode of appointment. In one State of the Union, at least, it has been long tried, and with the most satisfactory success. The judges of Connecticut have been chosen by the people every six months, for nearly two centuries, and I believe there has hardly ever been an instance of change; so powerful is the curb of incessant responsibility. If prejudice, however, derived from a monarchical institution, is still to prevail against the vital elective principle of our own, and if the existing example among ourselves of periodical election of judges by the people be still mistrusted, let us at least not adopt the evil, and reject the good, of the English precedent; let us retain amovability on the concurrence of the executive and legislative branches, and nomination by the executive alone. Nomination to office is an executive function. To give it to the legislature as we do, is a violation of the principle of the separation of powers. It swerves the members from correctness, by temptations to intrigue for office themselves, and to a corrupt barter of votes; and destroys responsibility by dividing it among a multitude. By leaving nomination in its proper place, among executive functions, the principle of the distribution of power is preserved, and responsibility weighs with its heaviest force on a single head.

The organization of our county administrations may be thought more difficult. But follow principle, and the knot unties itself. Divide the counties into wards of such size as that every citizen can attend when called on, and act in person. Ascribe to them the government of their wards in all things relating to themselves exclusively. A justice, chosen by themselves, in each, a constable, a military company, a patrol, a school, the care of their own poor, their own portion of the public roads, the choice of one or more jurors to serve in some court, and the delivery, within their own wards, of their own votes for all elective officers of higher sphere, will relieve the county administration of nearly all its business, will have it better done, and by making every citizen an acting member of the government, and in the offices nearest and most interesting to him, will attach him by his strongest feelings to the independence of his country, and its republican constitution. The justices thus chosen by every ward, would constitute the county court, would do its judiciary business, direct roads and bridges, levy county and poor rates, and administer all the matters of common interest to the whole county. These wards, called townships in New England, are the vital principle of their governments, and have proved themselves the wisest invention ever devised by the wit of man for the perfect exercise of self-government, and for its preservation. We should thus marshal our government into, 1. the general federal republic, for all concerns foreign and federal; 2. that of the State, for what relates to our own citizens exclusively; 3. the county republics, for the duties and concerns of the county; and 4. the ward republics, for the small, and yet numerous and interesting concerns of the neighbourhood: and in government, as well as in every other business of life, it is by division and sub-division of duties alone, that all matters, great and small, can be managed to perfection. And the whole is cemented by giving to every citizen, personally, a part in the administration of the public affairs.

The sum of these amendments is, 1. General suffrage. 2. Equal representation in the legislature. 3. An executive chosen by the people. 4. Judges elective or amovable. 5. Justices, jurors, and sheriffs elective. 6. Ward divisions. And 7. Periodical amendments of the constitution.

I have thrown out these, as loose heads of amendment, for consideration and correction: and their object is to secure self-government by the republicanism of our constitution, as well as by the spirit of the people; and to nourish and perpetuate that spirit. I am not among those who fear the people. They, and not the rich, are our dependence for continued freedom. And to preserve their independence, we must not let our rulers load us with perpetual debt. We must make our election between *economy and liberty*, or *profusion and servitude*. If we run into such debts, as that we must be taxed in our meat and in our drink, in our necessaries and our comforts, in our labours and our amusements, for our callings and our creeds, as the people of England are, our people, like them, must come to labour sixteen hours in the twenty-four, give the earnings of fifteen of these to the government for their debts and daily expenses; and the sixteenth being insufficient to afford us bread, we must live, as they now do, on oatmeal and potatoes; have no time to think, no means of calling the mismanagers to account; but be glad to obtain subsistence by hiring ourselves to rivet their chains on the necks of our fellow sufferers. Our landholders too, like theirs, retaining indeed the title and stewardship of estates called theirs, but held really in trust for the treasury, must wander, like theirs, in foreign countries, and be contented with penury, obscurity, exile, and the glory of the nation. This example reads to us the salutary lesson that private fortunes are destroyed by public, as well as by private extravagance. And this is the tendency of all human governments. A departure from principle in one instance becomes a precedent for a second; that second for a third; and so on, till the bulk of the society is reduced to be mere automatons of misery, to have no sensibilities left but for sinning and suffering. Then begins, indeed, the *bellum omnium in omnia*, which some philosophers observing to be so general in this world, have mistaken it for the natural, instead of the abusive state of man. And the fore horse of this frightful team is public debt. Taxation follows that, and, in its train, wretchedness and oppression.

Some men look at constitutions with sanctimonious reverence, and deem them, like the ark of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment. I knew that age well: I belonged to it, and laboured with it. It deserved well of its country. It was very like the present, but without the experience of the present; and forty years of experience in government is worth a century of book-reading; and this they would say themselves, were they to rise from the dead. I am certainly not an advocate for frequent and untried changes in laws and constitutions. I think moderate imperfections had better be borne with; because, when once known, we accommodate ourselves to them, and find practical means of correcting their ill effects. But I know also, that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy, as civilized society to remain ever under the regimen of their barbarous ancestors. It is this preposterous idea which has lately deluged Europe in blood. Their monarchs, instead of wisely yielding to the gradual changes of circumstances, of favouring progressive accommodation to progressive improvement, have clung to old abuses, entrenched themselves behind steady habits, and obliged their subjects to seek through blood and violence rash and ruinous innovations, which, had they been referred to the peaceful deliberations and collected wisdom of the nation, would have been put into acceptable and salutary forms. Let us follow no such examples, nor weakly believe that one generation is not as capable as another of taking care of itself, and of ordering its own affairs. Let us, as our sister States have done, avail ourselves of our reason and experience, to correct the crude essays of our first and unexperienced, although wise, virtuous, and well-meaning councils. And, lastly, let us provide in our constitution for its revision at stated periods. What these periods should be, Nature herself indicates. By the European tables of mortality, of the adults living at any one moment of time, a majority will be dead in about nineteen years. At the end of that period, then, a new majority is come into place; or, in other words, a new generation. Each generation is as independent of the one preceding as that was of all which had gone before. It has, then, like them, a right to choose for itself the form of government it believes most promotive of its own happiness; consequently, to accommodate to the circumstances in which it finds itself, that received from its predecessors: and it is for the peace and good of mankind, that a solemn opportunity of doing this every nineteen or twenty years should be provided by the constitution; so that it may be handed on, with periodical repairs, from generation to generation, to the end of time, if any thing human can so long endure. It is now forty years since the constitution of Virginia was formed. The same tables inform us, that, within that period, two thirds of the adults then living are now dead. Have, then, the remaining third, even if they had the wish, the right to hold in obedience to their will, and to laws heretofore made by them, the other two thirds, who, with themselves, compose the present mass of adults? If they have not, who has? The dead? But the dead have no rights. They are nothing; and nothing cannot own something. Where there is no substance, there can be no accident. This corporeal globe, and every thing upon it, belong to its present corporeal inhabitants, during their generation. They alone have a right to direct what is the concern of themselves alone, and to declare the law of that direction: and this declaration can only be made by their majority. That majority, then, has a right to depute representatives to a convention, and to make the constitution what they think will be best for themselves. But how collect their voice? This is the real difficulty. If invited by private authority to county or district meetings, these divisions are so large that few will attend; and their voice will be imperfectly or falsely pronounced. Here, then, will be one of the advantages of the ward divisions I have proposed. The mayor of every ward, on a question like the present, would call his ward together, take the simple yea or nay of its members, convey these to the county court, who would hand on those of all its wards to the proper general authority; and the voice of the whole people would be thus fairly, fully, and peaceably expressed, discussed, and decided by the common reason of the society. If this avenue be shut to the call of sufferance, it will make itself heard through that of force, and we shall go on, as other nations are doing, in the endless circle of oppression, rebellion, reformation; and oppression, rebellion, reformation, again; and so on for ever.

These, Sir, are my opinions of the governments we see among men, and of the principles by which alone we may prevent our own from falling into the same dreadful track. I have given them at greater length than your letter called for: but I cannot say things by halves; and I confide them to your honour, so to use them as to preserve me from the gridiron of the public papers. If you shall approve and enforce them, as you have done that of equal representation, they may do some good. If not, keep them to yourself, as the effusions of withered age and useless time. I shall, with not the less truth, assure you of my great respect and consideration.

TH. JEFFERSON.

TO JOHN TAYLOR.

Monticello, July 21, 1816.

DEAR SIR,

Yours of the 10th is received, and I have to acknowledge a copious supply of the turnip seed requested. Besides taking care myself, I shall endeavour again to commit it to the depository of the neighbourhood, generally found to be the best precaution against losing a good thing. I will add a word on the political part of our letters. I believe we do not differ on either of the points you suppose. On education certainly not; of which the proofs are my bill for the diffusion of knowledge, proposed near forty years ago, and my uniform endeavours, to this day, to get our counties divided into wards, one of the principal objects of which is, the establishment of a primary school in each. But education not being a branch of municipal government, but, like the other arts and sciences, an accident only, I did not place it, with election, as a fundamental member in the structure of government. Nor, I believe, do we differ as to the county courts. I acknowledge the value of this institution; that it is in truth our principal executive and judiciary, and that it does much for little *pecuniary* reward. It is their self-appointment I wish to correct; to find some means of breaking up a cabal, when such a one gets possession of the bench. When this takes place, it becomes the most afflicting of tyrannies, because its powers are so various, and exercised on every thing most immediately around us. And how many instances have you and I known of these monopolies of county administration! I knew a county in which a particular family (a numerous one) got possession of the bench, and for a whole generation never admitted a man on it who was not of its clan or connection. I know a county now of one thousand and five hundred militia, of which sixty are federalists. Its court is of thirty members, of whom twenty are federalists (every third man of the sect). There are large and populous districts in it, without a justice, because without a federalist for appointment: the militia are as disproportionably under federal officers. And there is no authority on earth which can break up this junto, short of a general convention. The remaining one thousand four hundred and forty, free, fighting, and paying citizens, are governed by men neither of their choice nor confidence, and without a hope of relief. They are certainly excluded from the blessings of a free government for life, and indefinitely, for aught the constitution has provided. This solecism may be called any thing but republican, and ought undoubtedly to be corrected. I salute you with constant friendship and respect.

TH. JEFFERSON.

TO SAMUEL KERCHIVAL.

Monticello, September 5, 1816.

SIR,

Your letter of August the 16th is just received. That which I wrote to you under the address of H. Tompkinson, was intended for the author of the pamphlet you were so kind as to send me, and, therefore, in your hands, found its true destination. But I must beseech you, Sir, not to admit a possibility of its being published. Many good people will revolt from its doctrines, and my wish is to offend nobody; to leave to those who are to live under it, the settlement of their own constitution, and to pass in peace the remainder of my time. If those opinions are sound, they will occur to others, and will prevail by their own weight, without the aid of names. I am glad to see that the Staunton meeting has rejected the idea of a limited convention. The article, however, nearest my heart, is the division of the counties into wards. These will be pure and elementary republics, the sum of all which, taken together, composes the State, and will make of the whole a true democracy as to the business of the wards, which is that of nearest and daily concern. The affairs of the larger sections, of counties, of States, and of the Union, not admitting personal transaction by the people, will be delegated to agents elected by themselves; and representation will thus be substituted, where personal action becomes impracticable. Yet, even over these representative organs, should they become corrupt and perverted, the division into wards constituting the people, in their wards, a regularly organized power, enables them by that organization to crush, regularly and peaceably, the usurpations of their unfaithful agents, and rescues them from the dreadful necessity of doing it insurrectionally. In this way we shall be as republican as a large society can be; and secure the continuance of purity in our government, by the salutary, peaceable, and regular control of the people. No other depositories of power have ever yet been found, which did not end in converting to their own profit the earnings of those committed to their charge. George the III, in execution of the trust confided to him, has within his own day, loaded the inhabitants of Great Britain with debts equal to the whole fee-simple value of their island, and, under pretext of governing it, has alienated its whole soil to creditors who could lend money to be lavished on priests, pensions, plunder, and perpetual war. This would not have been so, had the people retained organized means of acting on their agents. In this example, then, let us read a lesson for ourselves, and not 'go, and do likewise.'

Since writing my letter of July the 12th, I have been told, that on the question of equal representation, our fellow-citizens in some sections of the State claim peremptorily a right of representation for their slaves. Principle will, in this, as in most other cases, open the way for us to correct conclusion. Were our State a pure democracy, in which all its inhabitants should meet together to transact all their business, there would yet be excluded from their deliberations, 1. infants, until arrived at years of discretion. 2. Women, who, to prevent depravation of morals and ambiguity of issue, could not mix promiscuously in the public meetings of men. 3. Slaves, from whom the unfortunate state of things with us takes away the rights of will and of property. Those, then, who have no will could be permitted to exercise none in the popular assembly; and of course could delegate none to an agent in a representative assembly. The business, in the first case, would be done by qualified citizens only; and, in the second, by the representatives of qualified citizens only. It is true, that in the general constitution, our State is allowed a larger representation on account of its slaves. But every one knows that that constitution was a matter of compromise; a capitulation between conflicting interests and opinions. In truth, the condition of different descriptions of inhabitants in any country is a matter of municipal arrangement, of which no foreign country has a right to take notice. All its inhabitants are men as to them. Thus, in the New England States, none have the powers of citizens but those whom they call *freemen;* and none are *freemen* until admitted by a vote of the freemen of the town. Yet, in the general government, these non-freemen are counted in their quantum of representation and of taxation. So, slaves with us have no powers as citizens; yet, in representation in the general government, they count in the proportion of three to five; and so also in taxation. Whether this is equal, is not here the question. It is a capitulation of discordant sentiments and circumstances, and is obligatory on that ground. But this view shews there is no inconsistency in claiming representation for them from the other States, and refusing it within our own.

Accept the renewal of assurances of my respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, October 14, 1816.

Your letter, dear Sir, of May the 6th, had already well explained the uses of grief. That of September the 3d, with equal truth, adduces instances of its abuse; and when we put into the same scale these abuses, with the afflictions of soul which even the uses of grief cost us, we may consider its value in the economy of the human being, as equivocal at least. Those afflictions crowd too great a portion of life to find a counterpoise in any benefits derived from its uses. For, setting aside its paroxyms on the occasions of special bereavements, all the latter years of aged men are overshadowed with its gloom. Whither, for instance, can you and I look without seeing the graves of those we have known? And whom can we call up, of our early companions, who has not left us to regret his loss? This, indeed, may be one of the salutary effects of grief; inasmuch as it prepares us to loose ourselves also without repugnance. Doctor Freeman's instances of female levity cured by grief, are certainly to the point, and constitute an item of credit in the account we examine. I was much mortified by the loss of the doctor's visit, by my absence from home. To have shewn how much I feel indebted to you for making good people known to me, would have been one pleasure; and to have enjoyed that of his conversation, and the benefits of his information, so favourably reported by my family, would have been another. I returned home on the third day after his departure. The loss of such visits is among the sacrifices which my divided residence costs me.

Your undertaking the twelve volumes of Dupuis, is a degree of heroism to which I could not have aspired even in my younger days. I have been contented with the humble achievement of reading the analysis of his work by Destutt Tracy, in two hundred pages octavo. I believe I should have ventured on his own abridgment of the work, in one octavo volume, had it ever come to my hands: but the marrow of it in Tracy has satisfied my appetite; and even in that, the preliminary discourse of the analyser himself, and his conclusion, are worth more in my eye than the body of the work. For the object of that seems to be to smother all history under the mantle of allegory. If histories so unlike as those of Hercules and Jesus, can, by a fertile imagination and allegorical interpretations, be brought to the same tally, no line of distinction remains between fact and fancy. As this pithy morsel will not overburthen the mail in passing and repassing between Quincy and Monticello, I send it for your perusal. Perhaps it will satisfy you, as it has me; and may save you the labour of reading twenty-four times its volume. I have said to you that it was written by Tracy; and I had so entered it on the title-page, as I usually do on anonymous works whose authors are known to me. But Tracy requested me not to betray his anonyme, for reasons which may not yet, perhaps, have ceased to weigh. I am bound, then, to make the same reserve with you. Destutt Tracy is, in my judgment, the ablest writer living on intellectual subjects, or the operations of the understanding. His three octavo volumes on Ideology, which constitute the foundation of what he has since written, I have not entirely read; because I am not fond of reading what is merely abstract, and unapplied immediately to some useful science. Buonaparte, with his repeated derisions of Ideologists (squinting at this author) has by this time felt that true wisdom does not lie in mere practice without principle. The next work Tracy wrote was the Commentary on Montesquieu, never published in the original, because not safe; but translated and published in Philadelphia, yet without the author's name. He has since permitted his name to be mentioned. Although called a Commentary, it is, in truth, an elementary work on the principles of government, comprised in about three hundred pages octavo. He has lately published a third work, on Political Economy, comprising the whole subject, within about the same compass; in which all its principles are demonstrated with the severity of Euclid, and, like him, without ever using a superfluous word. I have procured this to be translated, and have been four years endeavouring to get it printed: but as yet, without success. In the mean time, the author has published the original in France, which he thought unsafe while Buonaparte was in power. No printed copy, I believe, has yet reached this country. He has his fourth and last work now in the press at Paris, closing, as he conceives, the circle of metaphysical sciences. This work, which is on Ethics, I have not seen, but suspect I shall differ from it in its foundation, although not in its deductions. I gather from his other works that he adopts the principle of Hobbes, that justice is founded in contract solely, and does not result from the construction of man. I believe, on the con-

trary, that it is instinct and innate, that the moral sense is as
much a part of our constitution as that of feeling, seeing, or
ring; as a wise Creator must have seen to be necessary in
animal destined to live in society: that every human mind
s pleasure in doing good to another: that the non-exist-
e of justice is not to be inferred from the fact that the same
is deemed virtuous and right in one society, which is held
ious and wrong in another; because, as the circumstances
l opinions of different societies vary, so the acts which may
them right or wrong must vary also; for virtue does not
sist in the act we do, but in the end it is to effect. If it is
ffect the happiness of him to whom it is directed, it is vir-
us; while, in a society under different circumstances and
nions, the same act might produce pain, and would be
ious. The essence of virtue is in doing good to others,
ile what is good may be one thing in one society, and its
trary in another. Yet, however we may differ as to the
ndation of morals (and as many foundations have been
umed as there are writers on the subject nearly), so correct
hinker as Tracy will give us a sound system of morals.
d, indeed, it is remarkable, that so many writers, setting
from so many different premises, yet meet all in the same
clusions. This looks as if they were guided, unconsciously,
by the unerring hand of instinct.

Your history of the Jesuits, by what name of the author, or other description, is it to be inquired for?

What do you think of the present situation of England? Is not this the great and fatal crush of their funding system, which, like death, has been foreseen by all, but its hour, like that of death, hidden from mortal prescience? It appears to me that all the circumstances now exist which render recovery desperate. The interest of the national debt is now equal to such a portion of the profits of all the land and the labour of the island, as not to leave enough for the subsistence of those who labour. Hence the owners of the land abandon it, and retire to other countries, and the labourer has not enough of his earnings left to him to cover his back and to fill his belly. The local insurrections, now almost general, are of the hungry and the naked, who cannot be quieted but by food and raiment. But where are the means of feeding and clothing them? The landholder has nothing of his own to give; he is but the fiduciary of those who have lent him money; the lender is so taxed in his meat, drink, and clothing, that he has but a bare subsistence left. The landholder, then, must give up his land, or the lender his debt, or they must compromise by giving up each one half. But will either consent, *peaceably*, to such an abandonment of property? Or must it not be settled by civil conflict? If peaceably compromised, will they agree to risk another ruin, under the same government, unreformed? I think not; but I would rather know what you think; because you have lived with John Bull, and know better than I do the character of his herd. I salute Mrs. Adams and yourself with every sentiment of affectionate cordiality and respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, January 11, 1817.

DEAR SIR,

Forty-three volumes read in one year, and twelve of them quarto! Dear Sir, how I envy you! Half a dozen octavos in that space of time are as much as I am allowed. I can read by candlelight only, and stealing long hours from my rest: nor would that time be indulged to me, could I by that light see to write. From sunrise to one or two o'clock, and often from dinner to dark, I am drudging at the writing table. And all this to answer letters into which neither interest nor inclination on my part enters; and often from persons whose names I have never before heard. Yet, writing civilly, it is hard to refuse them civil answers. This is the burthen of my life, a very grievous one indeed, and one which I must get rid of. Delaplaine lately requested me to give him a line on the subject of his book; meaning, as I well knew, to publish it. This I constantly refuse; but in this instance yielded, that in saying a word for him, I might say two for myself. I expressed in it freely my sufferings from this source; hoping it would have the effect of an indirect appeal to the discretion of those, strangers and others, who, in the most friendly dispositions, oppress me with their concerns, their pursuits, their projects, inventions, and speculations, political, moral, religious, mechanical, mathematical, historical, &c. &c. &c. I hope the appeal will bring me relief, and that I shall be left to exercise and enjoy correspondence with the friends I love, and on subjects which they, or my own inclinations present. In that case, your letters shall not be so long on my files unanswered, as sometimes they have been to my great mortification.

To advert now to the subjects of those of December the th and 16th. Tracy's Commentaries on Montesquieu have er been published in the original. Duane printed a trans- n from the original manuscript a few years ago. It sold, lieve, readily, and whether a copy can now be had, I t. If it can, you will receive it from my bookseller in delphia, to whom I now write for that purpose. Tracy prehends, under the word 'Ideology' all the subjects ch the French term *Morale*, as the correlative to *Physique*. works on Logic, Government, Political Economy, and rality, he considers as making up the circle of ideological ects, or of those which are within the scope of the under- ding, and not of the senses. is Logic occupies exactly ground of Locke's wor he Understanding. The slation of that on Political omy is now printing; but no translation of mine. e only had the correction , which was, indeed, very ous. *Le premier jet* hav- been by some one who stood neither French nor glish, it was impossible to t more than faithful. But a valuable work.

he result of your fifty or years of religious reading e four words, 'be l,' is that in which all our iries must end; of all the priesthoods end our more, '*ubi panis*, .' What all agree in, is probably right. What no two agree in, most probably wrong. One of our fan-colouring biographers, who paints small men as very great, inquired of me lately, with real affection, too, whether he might consider as authentic, the change in my religion much spoken of in some circles. Now this supposed that they knew what had been my religion before, taking for it the word of their priests, whom I certainly never made the confidants of my creed. My answer was, 'Say nothing of my religion. It is known to my God and myself alone. Its evidence before the world is to be sought in my life; if that has been *honest and dutiful to society*, the religion which has regulated it cannot be a bad one.' Affectionately adieu.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, May 5, 1817.

DEAR SIR,

Absences and avocations had prevented my acknowledging your favour of February the 2d, when that of April the 19th arrived. I had not the pleasure of receiving the former by the hands of Mr. Lyman. His business probably carried him in another direction; for I am far inland, and distant from the great line of communication between the trading cities. Your recommendations are always welcome, for indeed the subjects of them always merit that welcome, and some of them in an extraordinary degree. They make us acquainted with what there is excellent in our ancient sister State of Massachusetts, once venerated and beloved, and still hanging on our hopes, for what need we despair of after the resurrection of Connecticut to light and liberality? I had believed that the last retreat of monkish darkness, bigotry, and abhorrence of those advances of the mind which had carried the other States a century a-head of them. They seemed still to be exactly where their forefathers were when they schismatised from the covenant of works, and to consider as dangerous heresies all innovations, good or bad. I join you, therefore, in sincere congratulations that this den of the priesthood is at length broken up, and that a Protestant Popedom is no longer to disgrace the American history and character. If by *religion* we are to understand *sectarian dogmas*, in which no two of them agree, then your exclamation on that hypothesis is just, ‘ that this would be the best of all possible worlds, if there were no religion in it.’ But if the moral precepts, innate in man, and made a part of his physical constitution, as necessary for a social being, if the sublime doctrines of philanthropism and deism taught us by Jesus of Nazareth, in which all agree, constitute true religion, then, without it, this would be, as you again say, ‘ something not fit to be named, even, indeed, a hell.”

You certainly acted wisely in taking no notice of what the malice of Pickering could say of you. Were such things to be answered, our lives would be wasted in the filth of fendings and provings, instead of being employed in promoting the happiness and prosperity of our fellow-citizens. The tenour of your life is the proper and sufficient answer. It is fortunate for those in public trust, that posterity will judge them by their works, and not by the malignant vituperations and invectives of the Pickerings and Gardiners of their age. After all, men of energy of character must have enemies; because there are two sides to every question, and taking one with decision, and acting on it with effect, those who take the other will of course be hostile in proportion as they feel that effect. Thus, in the Revolution, Hancock and the Adamses were the raw-head-and-bloody-bones of tories and traitors; who yet knew nothing of you personally but what was good. I do not entertain your apprehensions for the happiness of our brother Madison in a state of retirement. Such a mind as his, fraught with information, and with matter for reflection, can never know ennui. Besides, there will always be work enough cut out for him to continue his active usefulness to his country. For example, he and Monroe (the President) are now here, on the work of a collegiate institution to be established in our neighbourhood, of which they and myself are three of six visitors. This, if it succeeds, will raise up children for Mr. Madison to employ his attention through life. I say, if it succeeds; for we have two very essential wants in our way: 1. means to compass our views; and 2. men qualified to fulfil them. And these you will agree are essential wants indeed.

I am glad to find you have a copy of Sismondi, because his is a field familiar to you, and on which you can judge him. His work is highly praised, but I have not yet read it. I have been occupied and delighted with reading another work, the title of which did not promise much useful information or amusement, '*l'Italia avanti il dominio del Romani, dal Micali.*' It has often, you know, been a subject of regret, that Carthage had no writer to give her side of her own history, while her wealth, power, and splendour prove she must have had a very distinguished policy and government. Micali has given the counterpart of the Roman history, for the nations over which they extended their dominion. For this he has gleaned up matter from every quarter, and furnished materials for reflection and digestion to those who, thinking as they read, have perceived that there was a great deal of matter behind the curtain, could that be fully withdrawn. He certainly gives new views of a nation whose splendour has masked and palliated their barbarous ambition. I am now reading Botta's history of our own revolution. Bating the antient practice which he has adopted, of putting speeches into mouths which never made them, and fancying motives of action which we never felt, he has given that history with more detail, precision, and candour, than any writer I have yet met with. It is, to be sure, compiled from those writers; but it is a good secretion of their matter, the pure from the impure, and presented in a just sense of right, in opposition to usurpation.

Accept assurances for Mrs. Adams and yourself of my affectionate esteem and respect.

TH. JEFFERSON.

TO MARQUIS DE LA FAYETTE.

Monticello, May 14, 1817.

Although, dear Sir, much retired from the world, and meddling little in its concerns, yet I think it almost a religious duty to salute at times my old friends, were it only to say and to know that 'all's well.' Our hobby has been politics; but all here is so quiet, and with you so desperate, that little matter is furnished us for active attention. With you too, it has long been forbidden ground, and therefore imprudent for a foreign friend to tread, in writing to you. But although our speculations might be intrusive, our prayers cannot but be acceptable, and mine are sincerely offered for the well-being of France. What government she can bear, depends not on the state of science, however exalted, in a select band of enlightened men, but on the condition of the general mind. That, I am sure, is advanced and will advance; and the last change of government was fortunate, inasmuch as the new will be less obstructive to the effects of that advancement. For I consider your foreign military oppression as an ephemeral obstacle only.

Here all is quiet. The British war has left us in debt; but that is a cheap price for the good it has done us. The establishment of the necessary manufactures among ourselves, the proof that our government is solid, can stand the shock of war, and is superior even to civil schism, are precious facts for us; and of these the strongest proofs were furnished, when, with four eastern States tied to us, as dead to living bodies, all doubt was removed as to the achievements of the war, had it continued. But its best effect has been the complete suppression of party. The federalists who were truly American, and their great mass was so, have separated from their brethren who were mere Anglomen, and are received with cordiality into the republican ranks. Even Connecticut, as a State, and the last one expected to yield its steady habits (which were

ntially bigoted in politics as well as religion,) has chosen a
blica overnor, and republican legislature. Massachusetts
ed sti ags; because most deeply involved in the parricide
s and treasons of the war. But her gangrene is con-
ng, the sound flesh advancing on it, and all there will be
.. I mentioned Connecticut as the most hopeless of our
tes. Little Delaware had escaped my attention. That is
ntially a Quaker State, the fragment of a religious sect
ch, there, in the other States, in England, are a homo-
ous mass, acting with one mind, and that directed by the
her society in Englar Dispersed, as the Jews, they still
, as those do, one natio gn to the land they live in.
y are Protestant Jesuits. itly devoted to the will of
superior, and forgetti ties to their country in the
ation of the policy of t r. When war is proposed
England, they have scruples; but when with
ce, these are laid y become clamorous for it.
y are, however, si and give no other trouble
of whipping them along. is the election of Monroe
efficient circumstance in our icities. Four and twenty
s, which he will acco of administration in repub-
forms and principles nsecrate them in the eyes
e people as to secure nst the danger of change.
The evanition of party dissentions has harmonized intercourse, and sweetened society beyond imagination. The war then has done us all this good, and the further one of assuring the world, that although attached to peace from a sense of its blessings, we will meet war when it is made necessary.

I wish I could give better hopes of our southern brethren. The achievement of their independence of Spain is no longer a question. But it is a very serious one, what will then become of them? Ignorance and bigotry, like other insanities, are incapable of self-government. They will fall under military despotisms, and become the murderous tools of the ambition of their respective Buonapartes; and whether this will be for their greater happiness, the rule of one only has taught you to judge. No one, I hope, can doubt my wish to see them and all mankind exercising self-government, and capable of exercising it. But the question is not what we wish, but what is practicable? As their sincere friend and brother, then, I do believe the best thing for them, would be for themselves to come to an accord with Spain, under the guarantee of France, Russia, Holland, and the United States, allowing to Spain a nominal supremacy, with authority only to keep the peace among them, leaving them otherwise all the powers of self-government, until their experience in them, their emancipation from their priests, and advancement in information, shall prepare them for complete independence. I exclude England from this confederacy, because her selfish principles render her incapable of honourable patronage or disinterested co-operation: unless, indeed, what seems now probable, a revolution should restore to her an honest government, one which will permit the world to live in peace. Portugal grasping at an extension of her dominion in the south, has lost her great northern province of Pernambuco, and I shall not wonder if Brazil should revolt in mass, and send their royal family back to Portugal. Brazil is more populous, more wealthy, more energetic, and as wise as Portugal. I have been insensibly led, my dear friend, while writing to you, to indulge in that line of sentiment in which we have been always associated, forgetting that these are matters not belonging to my time. Not so with you, who have still many years to be a spectator of these events. That these years may indeed be many and happy, is the sincere prayer of your affectionate friend.

TH. JEFFERSON.

TO ALBERT GALLATIN.

Monticello, June 16, 1817.

DEAR SIR,

The importance that the inclosed letters should safely reach their destination, impels me to avail myself of the protection of your cover. This is an inconvenience to which your situation exposes you, while it adds to the opportunities of exercising yourself in works of charity.

According to the opinion I hazarded to you a little before your departure, we have had almost an entire change in the body of Congress. The unpopularity of the compensation law was completed, by the manner of repealing it as to all the world except themselves. In some States, it is said, every member is changed; in all, many. What opposition there was to the original law, was chiefly from southern members. Yet many of those have been left out, because they received the advanced wages. I have never known so unanimous a sentiment of disapprobation; and what is remarkable is, that it was spontaneous. The newspapers were almost entirely silent, and the people not only unled by their leaders, but in opposition to them. I confess I was highly pleased with this proof of the nate good sense, the vigilance, and the determination of the ple to act for themselves.

mong the laws of the late Congress, some were of note: a gation act, particularly, applicable to those nations only have navigation acts; pinching one of them especially, not in the general way, but in the intercourse with her foreign essions. This part may re-act on us, and it remains for which may bear longest. A law respecting our conduct neutral between Spain and her contending colonies, was ed by a majority of one only, I believe, and against the general sentiment of our country. It is thought to strain complaisance to Spain bey her right or merit, and st against the right of th other party, and certainly st the claims they have to our good wishes and neigh- y relations. That we shoul wish to see the people her countries free, is as al, and, at least, as jus- e, as that one king s wish to see the kings of countries maintained ir espotism. Right to both ies, innocent favour to th cause, is our proper sen- nt.

ou will have learned that an act for internal improvement, r passing both Houses, was negatived by the President. act was founded, avowedly, on the principle that the phrase in the constitution which authorises Congress 'to lay taxes, to pay the debts and provide for the general welfare,' was an extension of the powers specifically enumerated to whatever would promote the general welfare; and this, you know, was the federal doctrine. Whereas, our tenet ever was, and, indeed, it is almost the only landmark which now divides the federalists from the republicans, that Congress had not unlimited powers to provide for the general welfare, but were restrained to those specifically enumerated; and that, as it was never meant they should provide for that welfare but by the exercise of the enumerated powers, so it could not have been meant they should raise money for purposes which the enumeration did not place under their action; consequently, that the specification of powers is a limitation of the purposes for which they may raise money. I think the passage and rejection of this bill a fortunate incident. Every State will certainly concede the power; and this will be a national confirmation of the grounds of appeal to them, and will settle for ever the meaning of this phrase, which, by a mere grammatical quibble, has countenanced the general government in a claim of universal power. For in the phrase, 'to lay taxes, to pay the debts and provide for the general welfare,' it is a mere question of syntax, whether the two last infinitives are governed by the first, or are distinct and co-ordinate powers; a question unequivocally decided by the exact definition of powers immediately following. It is fortunate for another reason, as the States, in conceding the power, will modify it, either by requiring the federal ratio of expense in each State, or otherwise, so as to secure us against its partial exercise. Without this caution, intrigue, negotiation, and the barter of votes might become as habitual in Congress, as they are in those legislatures which have the appointment of officers, and which, with us, is called 'logging,' the term of the farmers for their exchanges of aid in rolling together the logs of their newly cleared grounds. Three of our papers have presented us the copy of an act of the legislature of New York, which, if it has really passed, will carry us back to the times of the darkest bigotry and barbarism, to find a parallel. Its purport is, that all those who shall *hereafter* join in communion with the religious sect of Shaking Quakers, shall be deemed civilly dead, their marriages dissolved, and all their children and property taken out of their hands. This act being published nakedly in the papers, without the usual signatures, or any history of the circumstances of its passage, I am not without a hope it may have been a mere abortive attempt. It contrasts singularly with a contemporary vote of the Pennsylvania legislature, who, on a proposition to make the belief in a God a necessary qualification for office, rejected it by a great majority, although assuredly there was not a single atheist in their body. And you remember to have heard, that when the act for religious freedom was before the Virginia Assembly, a motion to insert the name of Jesus Christ before the phrase, 'the author of our holy religion,' which stood in the bill, was rejected, although that was the creed of a great majority of them.

I have been charmed to see that a Presidential election now produces scarcely any agitation. On Mr. Madison's election there was little, on Monroe's all but none. In Mr. Adams's time and mine, parties were so nearly balanced as to make the struggle fearful for our peace. But since the decided ascendancy of the republican body, federalism has looked on with silent but unresisting anguish. In the middle, southern, and western States, it is as low as it ever can be; for nature has made some men monarchists and tories by their constitution, and some, of course, there always will be.

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We have had a remarkably cold winter. At Hallowell, in Maine, the mercury was at thirty-four degrees below zero, of

Fahrenheit, which is sixteen degrees lower than it was in Paris in 1788-9. Here, it was at six degrees above zero, which is our greatest degree of cold.

Present me respectfully to Mrs. Gallatin, and be assured of my constant and affectionate friendship.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, May 17, 1818.

DEAR SIR,

I was so unfortunate as not to receive from Mr. Holly's own hand your favour of January the 28th, being then at my other home. He dined only with my family, and left them with an impression which has filled me with regret that I did not partake of the pleasure his visit gave them. I am glad he is gone to Kentucky. Rational Christianity will thrive more rapidly there than here. They are freer from prejudices than we are, and bolder in grasping at truth. The time is not distant, though neither you nor I shall see it, when we shall be but a secondary people to them. Our greediness for wealth, and fantastical expense, have degraded, and will degrade, the minds of our maritime citizens. These are the peculiar vices of commerce.

I had been long without hearing *from* you, but I had heard *of* you through a letter from Doctor Waterhouse. He wrote to reclaim against an expression of Mr. Wirt's, as to the commencement of motion in the revolutionary ball. The lawyers say that words are always to be expounded *secundum subjectam materiem*, which, in Mr. Wirt's case, was Virginia. It would, moreover, be as difficult to say at what moment the Revolution began, and what incident set it in motion, as to fix the moment that the embryo becomes an animal, or the act which gives him a beginning. But the most agreeable part of his letter was that which informed me of your health, your activity, and strength of memory; and the most wonderful, that which assured me that you retained your industry and promptness in epistolary correspondence. Here you have entire advantage over me. My repugnance to the writing table becomes daily and hourly more deadly and insurmountable. In place of this has come on a canine appetite for reading. And I indulge it, because I see in it a relief against the *tædium senectutis*,—a lamp to lighten my path through the dreary wilderness of time before me, whose bourne I see not.

Losing daily all interest in the things around us, something else is necessary to fill the void: With me it is reading, which occupies the mind without the labour of producing ideas from my own stock.

I enter into all your doubts as to the event of the revolution of South America. They will succeed against Spain. But the dangerous enemy is within their own breasts. Ignorance and superstition will chain their minds and bodies under religious and military despotism. I do believe it would be better for them to obtain freedom by degrees only; because that would by degrees bring on light and information, and qualify them to take charge of themselves understandingly; with more certainty, if in the mean time, under so much control as may keep them at peace with one another. Surely, it is our duty to wish them independence and self government, because they wish it themselves, and they have the right, and we none, to choose for themselves: and I wish, moreover, that our ideas may be erroneous, and theirs prove well founded. But these are speculations, my friend, which we may as well deliver over to those who are to see their development. We shall only be lookers on, from the clouds above, as now we look down on the labours, the hurry and bustle of the ants and bees. Perhaps, in that super-mundane region, we may be amused with seeing the fallacy of our own guesses, and even the nothingness of those labours which have filled and agitated our own time here.

En attendant, with sincere affections to Mrs. Adams and yourself, I salute you both cordially.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, November 13, 1818.

The public papers, my dear friend, announce the fatal event of which your letter of October the 20th had given me ominous foreboding. Tried myself in the school of affliction, by the loss of every form of connection which can rive the human heart, I know well, and feel, what you have lost, what you have suffered, are suffering, and have yet to endure. The same trials have taught me that for ills so immeasurable, time and silence are the only medicine. I will not, therefore, by useless condolences, open afresh the sluices of your grief;

r, although mingling sincerely my tears with yours, will I a word more where words are vain, but that it is of some fort to us both, that the term is not very distant, at which ıre to deposit in the same cerement, our sorrows and sufɪg bodies, and to ascend in essence to an ecstatic meeting the friends we have loved and lost, and whom we shall love and never lose again. God bless you, and support under your heavy affliction.

TH. JEFFERSON.

TO ROBERT WALSH.

Monticello, December 4, 1818.

DEAR SIR,

ours of November the 8 been some time received; it is in my power to give satisfaction as to its inies. Dr. Franklin had political enemies, as every racter must, which, with de enough to have opinions, energy and talent m effect on the feelings of dversary opinion. ties were chiefly in Pennania and Massachu former, they were merely of the proprietary party. In the latter, they did not commence till the Revolution, and then sprung chiefly from personal animosities, which, spreading by little and little, became at length of some extent. Dr. Lee was his principal calumniator, a man of much malignity, who, besides enlisting his whole family in the same hostility, was enabled, as the agent of Massachusetts with the British Government, to infuse it into that State with considerable effect. Mr. Izard, the Doctor's enemy also, but from a pecuniary transaction, never countenanced these charges against him. Mr. Jay, Silas Deane. Mr. Laurens, his colleagues also, ever maintained towards him unlimited confidence and respect. That he would have waived the formal recognition of our independence, I never heard on any authority worthy notice. As to the fisheries, England was urgent to retain them exclusively, France neutral, and I believe, that had they been ultimately made a *sine qua non*, our commissioners (Mr. Adams excepted) would have relinquished them, rather than have broken off the treaty. To Mr. Adams's perseverance alone, on that point, I have always understood we were indebted for their reservation. As to the charge of subservience to France, besides the evidence of his friendly colleagues before named, two years of my own service with him at Paris, daily visits, and the most friendly and confidential conversations, convince me it had not a shadow of foundation. He possessed the confidence of that government in the highest degree, insomuch, that it may truly be said, that they were more under his influence, than he under theirs. The fact is, that his temper was so amiable and conciliatory, his conduct so rational, never urging impossibilities, or even things unreasonably inconvenient to them, in short, so moderate and attentive to their difficulties, as well as our own, that what his enemies called subserviency, I saw was only that reasonable disposition, which, sensible that advantages are not all to be on one side, yielding what is just and liberal, is the more certain of obtaining liberality and justice. Mutual confidence produces, of course, mutual influence, and this was all which subsisted between Dr. Franklin and the government of France.

I state a few anecdotes of Dr. Franklin, within my own knowledge, too much in detail for the scale of Delaplaine's work, but which may find a *cadre* in some of the more particular views you contemplate. My health is in a great measure restored, and our family join with me in affectionate recollections and assurances of respect.

TH. JEFFERSON.

TO M. DE NEUVILLE.

Monticello, December 13, 1818.

I thank your Excellency for the notice with which your letters favour me, of the liberation of France from the occupation of the allied powers. To no one, not a native, will it give more pleasure. In the desolation of Europe, to gratify the atrocious caprices of Buonaparte, France sinned much: but she has suffered more than retaliation. Once relieved from the incubus of her late oppression, she will rise like a giant from her slumbers. Her soil and climate, her arts and eminent science, her central position, and free constitution, will soon make her greater than she ever was. And I am a false prophet, if she does not, at some future day, remind of her sufferings those who have inflicted them the most eagerly. I hope, however, she will be quiet for the present, and risk no new troubles. Her constitution, as now amended, gives as much of self-government as perhaps she can yet bear, and will give more, when the habits of order shall have prepared her to receive more. Besides the gratitude which every American owes her, as our sole ally during the war of independence, I am additionally affectioned by the friendships I contracted there, by the good dispositions I witnessed, and by the courtesies I received.

I rejoice, as a moralist, at the prospect of a reduction of the duties on wine, by our national legislature. It is an error to view a tax on that liquor as merely a tax on the rich. It is a prohibition of its use to the middling class of our citizens, and a condemnation of them to the poison of whiskey, which is desolating their houses. No nation is drunken where wine is cheap; and none sober, where the dearness of wine substitutes ardent spirits as the common beverage, It is, in truth, the only antidote to the bane of whisky. Fix but the duty at the rate of other merchandise, and we can drink wine here as cheap as we do grog: and who will not prefer it? Its extended use will carry health and comfort to a much enlarged circle. Every one in easy circumstances (as the bulk of our citizens are) will prefer it to the poison to which they are now driven by their government. And the treasury itself will find that a penny a piece from a dozen, is more than a groat from a single one. This reformation, however, will require time. Our merchants know nothing of the infinite variety of cheap and good wines to be had in Europe; and particularly in France, in Italy, and the Grecian islands: as they know little also, of the variety of excellent manufactures and comforts to be had any where out of England. Nor will these things be known, nor of course called for here, until the native merchants of those countries, to whom they are known, shall bring them forward, exhibit and vend them at the moderate profits they can afford. This alone will procure them familiarity with us, and the preference they merit in competition with corresponding articles now in use.

Our family renew with pleasure their recollections of your kind visit to Monticello, and join me in tendering sincere assurances of the gratification it afforded us, and of our great esteem and respectful consideration.

Th. Jefferson.

TO DOCTOR VINE UTLEY.

Monticello, March 21, 1819.

Sir,

Your letter of February the 18th came to hand on the 1st instant; and the request of the history of my physical habits would have puzzled me not a little, had it not been for the model with which you accompanied it, of Doctor Rush's answer to a similar inquiry. I live so much like other people, that I might refer to ordinary life as the history of my own. Like my friend, the doctor, I have lived temperately, eating little animal food, and that not as an aliment, so much as a condiment for the vegetables, which constitute my principal diet. I double, however, the doctor's glass and a half of wine, and even treble it with a friend; but halve its effect by drinking the weak wines only. The ardent wines I cannot drink, nor do I use ardent spirits in any form. Malt liquors and cider are my table drinks, and my breakfast, like that also of my friend, is of tea and coffee. I have been blest with organs of digestion which accept and concoct, without ever murmuring, whatever the palate chooses to consign to them, and I have not yet lost a tooth by age. I was a hard student until I entered on the business of life, the duties of which leave no idle time to those disposed to fulfil them; and now, retired, and at the age of seventy-six, I am again a hard student. Indeed, my fondness for reading and study revolts me from the drudgery of letter writing. And a stiff wrist, the consequence of an early dislocation, makes writing both slow and painful. I am not so regular in my sleep as the doctor says he was, devoting to it from five to eight hours, according as my company or the book I am reading interests me; and I never go to bed without an hour or half hour's previous reading of something moral, whereon to ruminate in the intervals of sleep. But whether I retire to bed early or late, I rise with the sun. I use spectacles at night, but not necessarily in the day, unless in reading small print. My hearing is distinct in particular conversation, but confused when several voices cross each other, which unfits me for the society of the table. I have been more fortunate than my friend in the article of health. So free from catarrhs that I have not had one, (in the breast, I mean,) on an average of eight or ten years through life. I ascribe this exemption partly to the habit of bathing my feet in cold water every morning, for sixty years past. A fever of more than twenty-four hours I have not had above two or three times in my life. A periodical headache has afflicted me occasionally, once, perhaps, in six or eight years, for two or three weeks at a time, which seems now to have left me; and except on a late occasion of indisposition, I enjoy good health; too feeble, indeed, to walk much, but riding without fatigue six or eight miles a day, and sometimes thirty or forty. I may end these egotisms, therefore, as I began, by saying that my life has been so much like that of other people, that I might say, with Horace, to every one, '*mutato nomine, de te fabula narratur.*' I must not end, however, without due thanks for the kind sentiments of regard you are so good as to express towards myself; and with my acknowledgments for these, be pleased to accept the assurances of my respect and esteem.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, July 9, 1819.

DEAR SIR,

I am in debt to you for your letters of May the 21st, 27th, and June the 22nd. The first, delivered me by Mr. Greenwood, gave me the gratification of his acquaintance; and a gratification it always is, to be made acquainted with gentlemen of candour, worth, and information, as I found Mr. Greenwood to be. That on the subject of Mr. Samuel Adams Wells, shall not be forgotten in time and place, when it can be used to his advantage.

But what has attracted my peculiar notice, is the paper from Mecklenburg county, of North Carolina, published in the Essex Register, which you were so kind as to inclose in your last, of June the 22nd. And you seem to think it genuine. I believe it spurious. I deem it to be a very unjustifiable quiz, like that of the volcano, so minutely related to us as having broken out in North Carolina, some half dozen years ago, in that part of the country, and perhaps in that very county of Mecklenburg, for I do not remember its precise locality. If this paper be really taken from the Raleigh Register, as quoted, I wonder it should have escaped Ritchie, who culls what is good from every paper, as the bee from every flower; and the National Intelligencer, too, which is edited by a North Carolinian: and that the fire should blaze out all at once in Essex, one thousand miles from where the spark is said to have fallen. But if really taken from the Raleigh Register, who is the narrator, and is the name subscribed real, or is it as fictitious as the paper itself? It appeals, too, to an original book, which is burnt, to Mr. Alexander, who is dead, to a joint letter from Caswell, Hughes, and Hooper, all dead, to a copy sent to the dead Caswell, and another sent to Doctor Williamson, now probably dead, whose memory did not recollect, in the history he has written of North Carolina, this gigantic step of its county of Mecklenburg. Horry, too, is silent in his history of Marion, whose scene of action was the country bordering on Mecklenburgh. Ramsay, Marshall, Jones, Girardin, Wirt, historians of the adjacent States, all silent. When Mr. Henry's resolutions, far short of independence, flew like lightning through every paper, and kindled both sides of the Atlantic, this flaming declaration of the same date, of the independence of Mecklenburg county, of North Carolina, absolving it from the British allegiance, and abjuring all political connection with that nation, although sent to Congress, too, is never heard of. It is not known even a twelvemonth after, when a similar proposition is first made in that body. Armed with this bold example, would not you have addressed our timid brethren in peals of thunder, on their tardy fears? Would not every advocate of independence have rung the glories of Mecklenburg county, in North Carolina, in the ears of the doubting Dickenson and others, who hung so heavily on us? Yet the example of Independent Mecklenburg county, in North Carolina, was never once quoted. The paper speaks, too, of the continued exertions of their delegation (Caswell, Hooper, Hughes,) 'in the cause of liberty and independence.' Now, you remember as well as I do, that we had not a greater tory in Congress than Hooper; that Hughes was very wavering, sometimes firm, sometimes feeble, according as the day was clear or cloudy; that Caswell, indeed, was a good whig, and kept these gentlemen to the notch, while he was present; but that he left us soon, and their line of conduct became then uncertain, until Penn came, who fixed Hughes, and the vote of the State. I must not be understood as suggesting any doubtfulness in the State of North Carolina. No State was more fixed or forward. Nor do I affirm, positively, that this paper is a fabrication: because the proof of a negative can only be presumptive. But I shall believe it such until positive and solemn proof of its authenticity shall be produced.

And if the name of McKnitt be real, and not a part of the fabrication, it needs a vindication by the production of such proof. For the present, I must be an unbeliever in the apocryphal gospel.

I am glad to learn that Mr. Ticknor is safely returned to his friends; but should have been much more pleased had he accepted the Professorship in our University, which we should have offered him in form. Mr. Bowditch, too, refuses us; so fascinating is the *vinculum* of the *dulce natale solum.* Our wish is to procure natives, where they can be found like these gentlemen, of the first order of acquirement in their respective lines; but preferring foreigners of the first order to natives of the second, we shall certainly have to go for several of our Professors, to countries more advanced in science than we are.

I set out within three or four days for my other home, the distance of which, and its cross mails, are great impediments to epistolary communications. I shall remain there about two months; and there, here, and everywhere, I am, and shall always be, affectionately and respectfully yours.

TH. JEFFERSON.

TO JUDGE ROANE.

Poplar Forest, September 6, 1819.

DEAR SIR,

I had read in the Enquirer, and with great approbation, the pieces signed Hampden, and have read them again with redoubled approbation in the copies you have been so kind as to send me. I subscribe to every tittle of them. They contain the true principles of the revolution of 1800, for that was as real a revolution in the principles of our government as that of 1776 was in its form; not effected indeed by the sword, as that, but by the rational and peaceable instrument of reform, the suffrage of the people. The nation declared its will by dismissing functionaries of one principle, and electing those of another, in the two branches, executive and legislative, submitted to their election. Over the judiciary department, the constitution had deprived them of their control. That, therefore, has continued the reprobated system: and although new matter has been occasionally incorporated into the old, yet the leaven of the old mass seems to assimilate to itself the new; and after twenty years' confirmation of the federated system by the voice of the nation, declared through the medium of elections, we find the judiciary, on every occasion, still driving us into consolidation.

In denying the right they usurp of exclusively explaining the constitution, I go further than you do, if I understand rightly your quotation from the Federalist, of an opinion that 'the judiciary is the last resort in relation *to the other departments* of the government, but not in relation to the rights of the parties to the compact under which the judiciary is derived.' If this opinion be sound, then indeed, is our constitution a complete *felo de se*. For intending to establish three departments, co-ordinate and independent, that they might check and balance one another, it has given, according to this opinion, to one of them alone, the right to prescribe rules for the government of the others, and to that one too, which is unelected by, and independent of the nation. For experience has already shewn that the impeachment it has provided is not even a scarecrow; that such opinions as the one you combat, sent cautiously out, as you observe also, by detachment, not belonging to the case often, but sought for out of it, as if to rally the public opinion beforehand to their views, and to indicate the line they are to walk in, have been so quietly passed over as never to have excited animadversion, even in a speech of any one of the body entrusted with impeachment. The constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered, as an axiom of eternal truth in politics, that whatever power in any government is independent, is absolute also; in theory only, at first, while the spirit of the people is up, but in practice, as fast as that relaxes. Independence can be trusted nowhere but with the people in mass. They are inherently independent of all but moral law. My construction of the constitution is very different from that you quote. It is that each department is truly independent of the others, and has an equal right to decide for itself what is the meaning of the constitution in the cases submitted to its action; and especially, where it is to act ultimately and without appeal. I will explain myself by examples, which, having occurred while I was in office, are better known to me, and the principles which governed them.

A legislature had passed the sedition law. The federal courts had subjected certain individuals to its penalties, of fine and imprisonment. On coming into office, I released these individuals, by the power of pardon committed to executive discretion, which could never be more properly exercised than where citizens were suffering without the authority of law, or, which was equivalent, under a law unauthorised by the constitution, and therefore null. In the case of Marbury and Madison, the federal judges declared that commissions, signed and sealed by the President, were valid, although not delivered. I deemed delivery essential to complete a deed, which, as long as it remains in the hands of the party, is as yet no deed—it is in *posse* only, but not in *esse*, and I withheld delivery of the commissions. They cannot issue a mandamus to the President or legislature, or to any of their officers.* When the British treaty of 180- arrived, without any provision against the impressment of our seamen, I determined not to ratify it. The Senate thought I should ask their advice. I thought that would be a mockery of them, when I was predetermined against following it, should they advise its ratification. The constitution had made their advice necessary to confirm a treaty, but not to reject it. This has been blamed by some; but I have never doubted its soundness. In the cases of two persons, *antenati*, under exactly similar circumstances, the federal court had determined that one of them (Duane) was not a citizen; the House of Representatives nevertheless determined that the other (Smith, of South Carolina) was a citizen, and admitted him to his seat in their body. Duane was a republican, and Smith a federalist, and these decisions were during the federal ascendancy.

These are examples of my position, that each of the three departments has equally the right to decide for itself what is its duty under the constitution, without any regard to what the others may have decided for themselves under a similar question. But you intimate a wish that my opinion should be known on this subject. No, dear Sir, I withdraw from all contests of opinion, and resign every thing cheerfully to the generation now in place. They are wiser than we were, and their successors will be wiser than they, from the progressive advance of science. Tranquillity is the *summum bonum* of age. I wish, therefore, to offend no man's opinions, nor to draw disquieting animadversions on my own. While duty required it, I met opposition with a firm and fearless step. But loving mankind in my individual relations with them, I pray to be permitted to depart in their peace; and like the superannuated soldier, '*quadragenis stipendiis emeritis*,' to hang my arms on the post. I have, unwisely, I fear, embarked in an enterprise of great public concern, but not to be accomplished within my term, without their liberal and prompt support. A severe illness the last year, and another from which I am just emerged, admonish me that repetitions may be expected, against which a declining frame cannot long bear up. I am anxious therefore to get our University so far advanced, as may encourage the public to persevere to its final accomplishment. That secured, I shall sing my *nunc demittas.* I hope your labours will be long continued in the spirit in which they have always been exercised, in maintenance of those principles on which I verily believe the future happiness of our country essentially depends. I salute you with affectionate and great respect.

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* The constitution controlling the common law in this particular.

Th. Jefferson.

TO JOHN ADAMS.

Monticello, December 10, 1819.

Dear Sir,

I have to acknowledge the receipt of your favour of November the 23rd. The banks, bankrupt law, manufactures, Spanish treaty, are nothing. These are occurrences which, like waves in a storm, will pass under the ship; but the Missouri question is a breaker on which we lose the Missouri country by revolt, and what more, God only knows. From the battle of Bunker's Hill to the treaty of Paris, we never had so ominous a question. It even damps the joy with which I hear of your high health, and welcomes to me the consequences of my want of it. I thank God that I shall not live to witness its issue. *Sed hæc hactenus.*

I have been amusing myself latterly with reading the voluminous letters of Cicero. They certainly breathe the purest effusions of an exalted patriot, while the parricide Cæsar is lost in odious contrast. When the enthusiasm, however, kindled by Cicero's pen and principles, subsides into cool reflection, I ask myself, what was that government which the virtues of Cicero were so zealous to restore, and the ambition of Cæsar to subvert? And if Cæsar had been as virtuous as he was daring and sagacious, what could he, even in the plenitude of his usurped power, have done to lead his fellow-citizens into good government? I do not say to *restore it,* because they never had it, from the rape of the Sabines to the ravages of the Cæsars. If their people, indeed, had been, like ourselves, enlightened, peaceable, and really free, the answer would be obvious. 'Restore independence to all your foreign conquests, relieve Italy from the government of the rabble of Rome, consult it as a nation entitled to self-government, and do its will.' But, steeped in corruption, vice, and venality, as the whole nation was, (and nobody had done more than Cæsar to corrupt it,) what could even Cicero, Cato, Brutus, have done, had it been referred to them to establish a good government for their country? They had no ideas of government themselves, but of their degenerate Senate; nor the people of liberty, but of the factious opposition of their Tribunes. They had afterwards their Tituses, their Trajans, and Antoninuses, who had the will to make them happy, and the power to mould their government into a good and permanent form: but it would seem as if they could not see their way clearly to do it. No government can continue good but under the control of the people; and their people were so demoralized and depraved as to be incapable of exercising a wholesome control. Their reformation, then, was to be taken up *ab incunabulis*. Their minds were to be informed, by education, what is right and what wrong; to be encouraged in habits of virtue, and deterred from those of vice by the dread of punishments, proportioned indeed, but irremissible; in all cases, to follow truth as the only safe guide, and to eschew error, which bewilders us in one false consequence after another, in endless succession. These are the inculcations necessary to render the people a sure basis for the structure of order and good government. But this would have been an operation of a generation or two, at least, within which period would have succeeded many Neros and Commoduses, who would have quashed the whole process. I confess, then, I can neither see what Cicero, Cato, and Brutus, united and uncontrolled, could have devised to lead their people into good government, nor how this enigma can be solved, nor how further shewn why it has been the fate of that delightful country never to have known, to this day, and through a course of five-and-twenty hundred years, the history of which we possess, one single day of free and rational government. Your intimacy with their history, antient, middle, and modern, your familiarity with the improvements in the science of government at this time, will enable you, if any body, to go back with our principles and opinions to the times of Cicero, Cato, and Brutus, and tell us by what process these great and virtuous men could have led so unenlightened and vitiated a people into freedom and good government, *et eris mihi magnus Apollo. Curâ ut valeas, et tibi persuadeas carissimum te mihi esse.*

TH. JEFFERSON.

TO WILLIAM SHORT.

Monticello, April 13, 1820.

DEAR SIR,

Your favour of March the 27th is received, and, as you request, a copy of the syllabus is now inclosed. It was originally written to Dr. Rush. On his death, fearing that the inquisition of the public might get hold of it, I asked the return of it from the family, which they kindly complied with. At the request of another friend I had given him a copy. He lent it to *his* friend to read, who copied it, and in a few months it appeared in the Theological Magazine of London. Happily, that repository is scarcely known in this country; and the syllabus, therefore, is still a secret, and in your hands I am sure it will continue so.

But while this syllabus is meant to place the character of Jesus in its true and high light, as no impostor himself, but a great reformer of the Hebrew code of religion, it is not to be understood that I am with him in all his doctrines. I am a Materialist; he takes the side of Spiritualism: he preaches the efficacy of repentance towards forgiveness of sin; I require a counterpoise of good works to redeem it, &c. &c. It is the innocence of his character, the purity and sublimity of his moral precepts, the eloquence of his inculcations, the beauty of the apologues in which he conveys them, that I so much admire; sometimes, indeed, needing indulgence to eastern hyperbolism. My eulogies, too, may be founded on a postulate which all may not be ready to grant. Among the sayings and discourses imputed to him by his biographers, I find many passages of fine imagination, correct morality, and of the most lovely benevolence; and others, again, of so much ignorance, so much absurdity, so much untruth, charlatanism and imposture, as to pronounce it impossible that such contradictions should have proceeded from the same being. I separate, therefore, the gold from the dross; restore to him the former, and leave the latter to the stupidity of some, and roguery of others of his disciples. Of this band of dupes and impostors, Paul was the great Coryphæus, and first corruptor of the doctrines of Jesus. These palpable interpolations and falsifications of his doctrines, led me to try to sift them apart. I found the work obvious and easy, and that his part composed the most beautiful morsel of morality which has been given to us by man. The syllabus is therefore of *his* doctrines, not *all* of *mine:* I read them as I do those of other antient and modern moralists, with a mixture of approbation and dissent.

I rejoice, with you, to see an encouraging spirit of internal improvement prevailing in the States. The opinion I have ever expressed of the advantages of a western communication through the James River, I still entertain; and that the Cayuga is the most promising of the links of communication.

The history of our University you know so far. Seven of the ten pavilions destined for the Professors, and about thirty dormitories, will be completed this year, and three others, with six hotels for boarding and seventy other dormitories, will be completed the next year, and the whole be in readiness then to receive those who are to occupy them. But means to bring these into place, and to set the machine into motion, must come from the legislature. An opposition, in the mean time, has been got up. That of our *alma mater*, William and Mary, is not of much weight. She must descend into the secondary rank of academies of preparation for the University. The serious enemies are the priests of the different religious sects, to whose spells on the human mind its improvement is ominous. Their pulpits are now resounding with denunciations against the appointment of Doctor Cooper, whom they charge as a monotheist in opposition to their tritheism. Hostile as these sects are, in every other point, to one another, they unite in maintaining their mystical theogony against those who believe there is one God only. The Presbyterian clergy are loudest; the most intolerant of all sects, the most tyrannical and ambitious; ready at the word of the lawgiver, if such a word could be now obtained, to put the torch to the pile, and to rekindle in this virgin hemisphere the flames in which their oracle Calvin consumed the poor Servetus, because he could not find in his Euclid the proposition which has demonstrated that three are one, and one is three, nor subscribe to that of Calvin, that magistrates have a right to exterminate all heretics to Calvinistic creed. They pant to re-establish, *by law*, that holy inquisition, which they can now only infuse into *public opinion*. We have most unwisely committed to the hierophants of our particular superstition, the direction of public opinion, that lord of the universe. We have given them stated and privileged days to collect and catechise us, opportunities of delivering their oracles to the people in mass, and of moulding their minds as wax in the hollow of their hands. But in despite of their fulminations against endeavours to enlighten the general mind, to improve the reason of the people, and encourage them in the use of it, the liberality of this State will support this institution, and give fair play to the cultivation of reason. Can you ever find a more eligible occasion of visiting once more your native country, than that of accompanying Mr. Correa, and of seeing with him this beautiful and hopeful institution *in ovo?*

Although I had laid down as a law to myself, never to write, talk, or even think of politics, to know nothing of public affairs, and therefore had ceased to read newspapers, yet the Missouri question aroused and filled me with alarm. The old schism of federal and republican threatened nothing, because it existed in every State, and united them together by the fraternism of party. But the coincidence of a marked principle, moral and political, with a geographical line, once conceived, I feared would never more be obliterated from the mind; that it would be recurring on every occasion and renewing irritations, until it would kindle such mutual and mortal hatred, as to render separation preferable to eternal discord. I have been among the most sanguine in believing that our Union would be of long duration. I now doubt it much, and see the event at no great distance, and the direct consequence of this question; not by the line which has been so confidently counted on; the laws of nature control this; but by the Potomac, Ohio, and Missouri, or more probably, the Mississippi upwards to our northern boundary. My only comfort and confidence is, that I shall not live to see this; and I envy not the present generation the glory of throwing away the fruits of their fathers' sacrifices of life and fortune, and of rendering desperate the experiment which was to decide ultimately whether man is capable of self-government? This treason against human hope will signalize their epoch in future history, as the counterpart of the medal of their predecessors.

You kindly inquire after my health. There is nothing in it immediately threatening, but swelled legs, which are kept down mechanically, by bandages from the toe to the knee. These I have worn for six months. But the tendency to turgidity may proceed from debility alone. I can walk the round of my garden; not more. But I ride six or eight miles a day without fatigue. I shall set out for Poplar Forest within three or four days; a journey from which my physician augurs much good.

I salute you with constant and affectionate friendship and respect.

TH. JEFFERSON.

TO JOHN HOLMES.

Monticello, April 22, 1820.

I thank you, dear Sir, for the copy you have been so kind as to send me of the letter to your constituents on the Missouri question. It is a perfect justification to them. I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not distant. But this momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any *practicable* way. The cession of that kind of property, for so it is misnamed, is a bagatelle which would not cost me a second thought, if, in that way, a general emancipation and *expatriation* could be effected; and, gradually, and with due sacrifices, I think it might be. But as it is, we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other. Of one thing I am certain, that as the passage of slaves from one State to another, would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation, by dividing the burthen on a greater number of coadjutors. An abstinence too from this act of power would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the constitution has taken from them and given to the General Government. Could Congress, for example, say, that the non-freemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh the blessings they will throw away, against an abstract principle more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. To yourself, as the faithful advocate of the Union, I tender the offering of my high esteem and respect.

TH. JEFFERSON.

TO WILLIAM SHORT.

Monticello, August 4, 1820.

DEAR SIR,

I owe you a letter for your favour of June the 29th, which was received in due time; and there being no subject of the day, of particular interest, I will make this a supplement to mine of April the 13th. My aim in that was, to justify the character of Jesus against the fictions of his pseudo-followers, which have exposed him to the inference of being an impostor. For if we could believe that he really countenanced the follies, the falsehoods, and the charlatanisms, which his biographers father on him, and admit the misconstructions, interpolations, and theorizations, of the fathers of the early, and fanatics of the latter ages, the conclusion would be irresistible by every sound mind, that he was an impostor. I give no credit to their falsifications of his actions and doctrines, and to rescue his character, the postulate in my letter asked only what is granted in reading every other historian. When Livy and Siculus, for example, tell us things which coincide with our experience of the order of nature, we credit them on their word, and place their narrations among the records of credible history. But when they tell us of calves speaking, of statues sweating blood, and other things against the course of nature, we reject these as fables not belonging to history. In like manner, when an historian, speaking of a character well known and established on satisfactory testimony, imputes to it things incompatible with that character, we reject them without hesitation, and assent to that only of which we have better evidence. Had Plutarch informed us that Cæsar and Cicero passed their whole lives in religious exercises, and abstinence from the affairs of the world, we should reject what was so inconsistent with their established characters, still crediting what he relates in conformity with our ideas of them. So again, the superlative wisdom of Socrates is testified by all antiquity, and placed on ground not to be questioned. When, therefore, Plato puts into his mouth such paralogisms, such quibbles on words, and sophisms, as a school boy would be ashamed of, we conclude they were the whimsies of Plato's own foggy brain, and acquit Socrates of puerilities so unlike his character. (Speaking of Plato, I will add, that no writer, antient or modern, has bewildered the world with more *ignus fatui*, than this renowned philosopher, in ethics, in politics, and physics. In the latter, to specify a single example, compare his views of the animal economy, in his Timæus, with those of Mrs. Bryan in her Conversations on Chemistry, and weigh the science of the canonized philosopher against the good sense of the unassuming lady. But Plato's visions have furnished a basis for endless systems of mystical theology, and he is, therefore, all but adopted as a Christian saint. It is surely time for men to think for themselves, and to throw off the authority of names so artificially magnified. But to return from this parenthesis.) I say, that this free exercise of reason is all I ask for the vindication of the character of Jesus. We find in the writings of his biographers matter of two distinct descriptions. First, a ground-work of vulgar ignorance, of things impossible, of superstitions, fanaticisms, and fabrications. Intermixed with these, again, are sublime ideas of the Supreme Being, aphorisms and precepts of the purest morality and benevolence, sanctioned by a life of humility, innocence, and simplicity of manners, neglect of riches, absence of worldly ambition and honours, with an eloquence and persuasiveness which have not been surpassed. These could not be inventions of the groveling authors who relate them. They are far beyond the powers of their feeble minds. They shew that there was a character, the subject of their history, whose splendid conceptions were above all suspicion of being interpolations from their hands. Can we be at a loss in separating such materials, and ascribing each to its genuine author? The difference is obvious to the eye and to the understanding, and we may read as we run to each his part; and I will venture to affirm, that he who, as I have done, will undertake to winnow this grain from its chaff, will find it not to require a moment's consideration. The parts fall asunder of themselves, as would those of an image of metal and clay.

There are, I acknowledge, passages not free from objection, which we may, with probability, ascribe to Jesus himself; but claiming indulgence from the circumstances under which he acted. His object was the reformation of some articles in the religion of the Jews, as taught by Moses. That sect had presented for the object of their worship, a being of terrific character, cruel, vindictive, capricious, and unjust. Jesus, taking for his type the best qualities of the human head and heart, wisdom, justice, goodness, and adding to them power, ascribed all of these, but in infinite perfection, to the Supreme Being, and formed him really worthy of their adoration. Moses had either not believed in a future state of existence, or had not thought it essential to be explicitly taught to his people. Jesus inculcated that doctrine with emphasis and precision. Moses had bound the Jews to many idle ceremonies, mummeries, and observances, of no effect towards producing the social utilities which constitute the essence of virtue; Jesus exposed their futility and insignificance. The one instilled into his people the most anti-social spirit towards other nations; the other preached philanthropy and universal charity and benevolence. The office of reformer of the superstitions of a nation, is ever dangerous. Jesus had to walk on the perilous confines of reason and religion: and a step to right or left might place him within the gripe of the priests of the superstition, a blood thirsty race, as cruel and remorseless as the being whom they represented as the family God of Abraham, of Isaac, and of Jacob, and the local God of Israel. They were constantly laying snares, too, to entangle him in the web of the law. He was justifiable, therefore, in avoiding these by evasions, by sophisms, by misconstructions and misapplications of scraps of the prophets, and in defending himself with these their own weapons, as sufficient, *ad homines*, at least. That Jesus did not mean to impose himself on mankind as the son of God, physically speaking, I have been convinced by the writings of men more learned than myself in that lore. But that he might conscientiously believe himself inspired from above, is very possible. The whole religion of the Jews, inculcated on him from his infancy, was founded in the belief of divine inspiration. The fumes of the most disordered imaginations were recorded in their religious code, as special communications of the Deity: and as it could not but happen that, in the course of ages, events would now and then turn up to which some of these vague rhapsodies might be accommodated by the aid of allegories, figures, types, and other tricks upon words, they have not only preserved their credit with the Jews of all subsequent times, but are the foundation of much of the religions of those who have schismatised from them. Elevated by the enthusiasm of a warm and pure heart, conscious of the high strains of an eloquence which had not been taught him, he might readily mistake the corruscations of his own fine genius for inspirations of an higher order. This belief carried, therefore, no more personal imputation, than the belief of Socrates, that himself was under the care and admonitions of a guardian Dæmon. And how many of our wisest men still believe in the reality of these inspirations, while perfectly sane on all other subjects. Excusing, therefore, on these considerations, those passages in the gospels which seem to bear marks of weakness in Jesus, ascribing to him what alone is consistent with the great and pure character of which the same writings furnish proofs, and to their proper authors their own trivialities and imbecilities, I think myself authorised to conclude the purity and distinction of his character, in opposition to the impostures which those authors would fix upon him; and that the postulate of my former letter is no more than is granted in all other historical works.

Mr. Correa is here, on his farewell visit to us. He has been much pleased with the plan and progress of our University, and has given some valuable hints to its botanical branch. He goes to do, I hope, much good in his new country; the public instruction there, as I understand, being within the department destined for him. He is not without dissatisfaction, and reasonable dissatisfaction too, with the piracies of Baltimore; but his justice and friendly dispositions will, I am sure, distinguish between the iniquities of a few plunderers, and the sound principles of our country at large, and of our government especially. From many conversations with him, I hope he sees, and will promote in his new situation, the advantages of a cordial fraternization among all the American nations, and the importance of their coalescing in an American system of policy, totally independent of, and unconnected with that of Europe. The day is not distant, when we may formally require a meridian of partition through the ocean which separates the two hemispheres, on the hither side of which no European gun shall ever be heard, nor an American on the other; and when, during the rage of the eternal wars of Europe, the lion and the lamb, within our regions, shall lie down together in peace. The excess of population in Europe and want of room, render war, in their opinion, necessary to keep down that excess of numbers. Here, room is abundant, population scanty, and peace the necessary means for producing men, to whom the redundant soil is offering the means of life and happiness. The principles of society there and here, then, are radically different, and I hope no American patriot will ever lose sight of the essential policy of interdicting in the seas and territories of both Americas, the ferocious and sanguinary contests of Europe. I wish to see this coalition begun. I am earnest for an agreement with the maritime powers of Europe, assigning them the task of keeping down the piracies of their seas and the cannibalisms of the African coasts, and to us the suppression of the same enormities within our seas; and for this purpose, I should rejoice to see the fleets of Brazil and the United States riding together as brethren of the same family, and pursuing the same object. And indeed it would be of happy augury to begin at once this concert of action here, on the invitation of either to the other government, while the way might be preparing for withdrawing our cruisers from Europe, and preventing naval collisions there which daily endanger our peace.

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Accept assurances of the sincerity of my friendship and respect for you.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, August 15, 1820.

I am a great defaulter, my dear Sir, in our correspondence, but prostrate health rarely permits me to write; and when it does, matters of business imperiously press their claims. I am getting better, however, slowly, swelled legs being now the only serious symptom, and these, I believe, proceed from extreme debility. I can walk but little; but I ride six or eight miles a day without fatigue; and within a few days, I shall endeavour to visit my other home, after a twelvemonth's absence from it. Our University, four miles distant, gives me frequent exercise, and the oftener, as I direct its architecture. Its plan is unique, and it is becoming an object of curiosity for the traveller. I have lately had an opportunity of reading a critique on this institution in your North American Review of January last, having been not without anxiety to see what that able work would say of us: and I was relieved on finding in it much coincidence of opinion, and even where criticisms were indulged, I found they would have been obviated had the developments of our plan been fuller. But these were restrained by the character of the paper reviewed, being merely a report of outlines, not a detailed treatise, and addressed to a legislative body, not to a learned academy. For example, as an inducement to introduce the Anglo-Saxon into our plan, it was said that it would reward amply the *few weeks* of attention which alone would be requisite for its attainment; leaving both term and degree under an indefinite expression, because I know that not much time is necessary to attain it to an useful degree, sufficient to give such instruction in the etymologies of our language as may satisfy ordinary students, while more time would be requisite for those who should propose to attain a critical knowledge of it. In a letter which I had occasion to write to Mr. Crofts, who sent you, I believe, as well as myself, a copy of his treatise on the English and German languages, as preliminary to an etymological dictionary he meditated, I went into explanations with him of an easy process for simplifying the study of the Anglo-Saxon, and lessening the terrors and difficulties presented by its rude alphabet, and unformed orthography. But this is a subject beyond the bounds of a letter, as it was beyond the bounds of a report to the legislature. Mr. Crofts died, I believe, before any progress was made in the work he had projected.

The reviewer expresses doubt, rather than decision, on our placing military and naval architecture in the department of pure mathematics. Military architecture embraces fortification and fieldworks, which, with their bastions, curtains, hornworks, redoubts, &c,, are based on a technical combination of lines and angles. These are adapted to offence and defence, with and against the effects of bombs, balls, escalades, &c. But lines and angles make the sum of elementary geometry, a branch of pure mathematics: and the direction of the bombs, balls, and other projectiles, the necessary appendages of military works, although no part of their architecture, belong to the conic sections, a branch of transcendental geometry. Diderot and D'Alembert, therefore, in their *Arbor scientiæ*, have placed military architecture in the department of elementary geometry. Naval architecture teaches the best form and construction of vessels; for which best form it has recourse to the question of the solid of least resistance; a problem of transcendental geometry. And its appurtenant, projectiles, belong to the same branch, as in the preceding case. It is true, that so far as respects the action of the water on the rudder and oars, and of the wind on the sails, it may be placed in the department of mechanics, as Diderot and D'Alembert have done; but, belonging quite as much to geometry, and allied in its military character to military architecture, it simplified our plan to place both under the same head. These views are so obvious, that I am sure they would have required but a second thought, to reconcile the reviewer to their *location* under the head of pure mathematics. For this word *location*, see Bailey, Johnson, Sheridan, Walker, &c. But if dictionaries are to be the arbiters of language, in which of them shall we find *neologism?* No matter. It is a good word, well sounding, obvious, and expresses an idea, which would *otherwise* require circumlocution. The reviewer was justifiable, therefore, in using it; although he noted, at the same time, as unauthoritative, *centrality, grade, sparse*; all which have been long used in common speech and writing. I am a friend to *neology*. It is the only way to give to a language copiousness and euphony. Without it we should still be held to the vocabulary of Alfred or of Ulphilas; and held to their state of science also: for I am sure they had no words which could have conveyed the ideas of oxigen, cotyledons, zoophytes, magnetism, electricity, hyaline, and thousands of others expressing ideas not then existing, nor of possible communication in the state of their language. What a language has the French become since their date of the revolution, by the free introduction of new words! The most copious and eloquent in the living world; and equal to the Greek, had not that been regularly modifiable almost *ad infinitum*. Their rule was, that whenever their language furnished or adopted a root, all its branches, in every part of speech, were legitimated by giving them their appropriate terminations. ἀδελφός, ἀδελφή, ἀδελφίδιον, ἀδελφότης, ἀδελφίξις, ἀδελφιδοῦς, ἀδελφικός, ἀδελφίζω, ἀδελφικῶς. And this should be the law of every language. Thus, having adopted the adjective *fraternal*, it is a root which should legitimate *fraternity, fraternation, fraternisation, fraternism, to fraternate, fraternise, fraternally.* And give the word *neologism* to our language, as a root, and it should give us its fellow substantives, *neology, neologist, neologisation*; its adjectives, *neologous, neological, neologistical*; its verb, *neologise*;

and adverb, *neologically*. Dictionaries are but the depositories of words already legitimated by usage. Society is the workshop in which new ones are elaborated. When an individual uses a new word, if ill formed, it is rejected in society, if well formed, adopted, and, after due time, laid up in the depository of dictionaries. And if, in this process of sound neologisation, our trans-Atlantic brethren shall not choose to accompany us, we may furnish, after the Ionians, a second example of a colonial dialect improving on its primitive.

But enough of criticism: let me turn to your puzzling letter of May the 12th, on matter, spirit, motion, &c. Its crowd of scepticisms kept me from sleep. I read it, and laid it down: read it and laid it down, again and again: and to give rest to my mind, I was obliged to recur ultimately to my habitual anodyne. 'I feel, therefore, I exist.' I feel—bodies which are not myself: there are other existences then. I call them *matter*. I feel them changing place. This gives me *motion*. Where there is an absence of matter, I call it *void*, or *nothing*, or *immaterial space*. On the basis of sensation, of matter, and motion, we may erect the fabric of all the certainties we can have or need. I can conceive *thought* to be an action of a particular organization of matter, formed for that purpose by its Creator, as well as that *attraction* is an action of matter, or *magnetism* of loadstone. When he who denies to the Creator the power of endowing matter with the mode of action called *thinking*, shall shew how he could endow the sun with the mode of action called *attraction*, which reins the planets in the track of their orbits, or how an absence of matter can have a will, and by that will put matter into motion, then the Materialist may be lawfully required to explain the process by which matter exercises the faculty of thinking. When once we quit the basis of sensation, all is in the wind. To talk of *immaterial* existences, is to talk of *nothings*. To say that the human soul, angels, God, are immaterial, is to say, they are *nothings*, or that there is no God, no angels, no soul. I cannot reason otherwise: but I believe I am supported in my creed of materialism by the Lockes, the Tracys, and the Stewarts. At what age* of the Christian church this heresy of *immaterialism*, or masked atheism, crept in, I do not exactly know. But a heresy it certainly is. Jesus taught nothing of it. He told us, indeed, that 'God is a spirit;' but he has not defined what a spirit is, nor said that it is not *matter*. And the antient fathers generally, of the three first centuries, held it to be matter, light and thin, indeed, an etherial gas; but still, matter. Origen says, ‘Deus seipse corporalis est; sed graviorum tantum corporum ratione, incorporeus.’ Tertullian, ‘Quid enim deus nisi corpus?’ And again, ‘Quis negabit deum esse corpus? Etsi deus spiritus, spiritus etiam corpus est, sui generis in sua effigie.’ St. Justin Martyr, ‘το θειον φαμεν ειναι ασωματον· ουκ ὁτι ασωματον’—επειδη δε τομη κρατεισθαι ὑπο τινος, του κρατεισθαι τιμιωτερον εστι, δια τουτο καλουμεν αυτον ασωματον.’ And St. Macarius, speaking of angels, says, ‘Quamvis enim subtilia sint, tamen in substantiâ, forma et figurâ, secundum tenuitatem naturæ eorum, corpora sunt tenuia.’ And St. Austin, St. Basil, Lactantius, Tatian, Athenagoras, and others, with whose writings I pretend not a familiarity, are said, by those who are better acquainted with them, to deliver the same doctrine. (Enfield x. 3. 1.) Turn to your Ocellus d'Argens, 97. 105., and to his Timæus 17. for these quotations. In England, these Immaterialists might have been burnt until the 29 Car. 2., when the writ *de hæretico comburendo* was abolished; and here until the revolution, that statute not having extended to us. All heresies being now done away with us, these schismatists are merely atheists, differing from the material atheist only in their belief, that ‘nothing made something,’ and from the material deist, who believes that matter alone can operate on matter.

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* That of Athanasius and the Council of Nicæa, anno. 324.

Rejecting all organs of information, therefore, but my senses, I rid myself of the pyrrhonisms with which an indulgence in speculations hyperphysical and antiphysical, so uselessly occupy and disquiet the mind. A single sense may, indeed, be sometimes deceived, but rarely; and never all our senses together, with their faculty of reasoning. They evidence realities, and there are enough of these for all the purposes of life, without plunging into the fathomless abyss of dreams and phantasms. I am satisfied and sufficiently occupied with the things which are, without tormenting or troubling myself about those which may indeed be, but of which I have no evidence. I am sure that I really know many, many things, and none more surely than that I love you with all my heart, and pray for the continuance of your life until you shall be tired of it yourself.

TH. JEFFERSON.

TO JOSEPH C CABELL.

Poplar Forest, November 28, 1829.

DEAR SIR,

I sent in due time the Report of the Visitors to the Governor, with a request that he would endeavour to convene the Literary Board in time to lay it before the legislature on the second day of their session. It was inclosed in a letter which will explain itself to you. If delivered before the crowd of other business presses on them, they may act on it immediately, and before there will have been time for unfriendly combinations and manœuvres by the enemies of the institution. I inclose you now a paper presenting some views which may be useful to you in conversations, to rebut exaggerated estimates of what our institution is to cost, and reproaches of deceptive estimates. One hundred and sixty-two thousand three hundred and sixty-four dollars will be about the cost of the whole establishment, when completed. Not an office at Washington has cost less. The single building of the court house of Henrico has cost nearly that: and the massive walls of the millions of bricks of William and Mary could not now be built for a less sum.

Surely Governor Clinton's display of the gigantic efforts of New York towards the education of her citizens, will stimulate the pride as well as the patriotism of our legislature, to look to the reputation and safety of their own country, to rescue it from the degradation of becoming the Barbary of the Union, and of falling into the ranks of our own negroes. To that condition it is fast sinking. We shall be in the hands of the other States, what our indigenous predecessors were when invaded by the science and arts of Europe. The mass of education in Virginia, before the Revolution, placed her with the foremost of her sister colonies. What is her education now? Where is it? The little we have we import, like beggars, from other States; or import their beggars to bestow on us their miserable crumbs. And what is wanting to restore us to our station among our confederates? Not more money from the people. Enough has been raised by them, and appropriated to this very object. It is that it should be employed understandingly, and for their greatest good. That good requires, that while they are instructed, in general, competently to the common business of life, others should employ their genius with necessary information to the useful arts, to inventions for saving labour and increasing our comforts, to nourishing our health, to civil government, military science, &c.

Would it not have a good effect for the friends of the University to take the lead in proposing and effecting a practical scheme of elementary schools? To assume the character of the friends, rather than the opponents of that object? The present plan has appropriated to the primary schools forty-five thousand dollars for three years, making one hundred and thirty-five thousand dollars. I should be glad to know if this sum has educated one hundred and thirty-five poor children? I doubt it much. And if it has, they have cost us one thousand dollars a piece for what might have been done with thirty dollars. Supposing the literary revenue to be sixty thousand dollars, I think it demonstrable, that this sum, equally divided between the two objects, would amply suffice for both. One hundred counties, divided into about twelve wards each, on an average, and a school in each ward of perhaps ten children, would be one thousand and two hundred schools, distributed proportionably over the surface of the State. The inhabitants of each ward, meeting together (as when they work on the roads,) building good log houses for their school and teacher, and contributing for his provisions, rations of pork, beef, and corn, in the proportion, each, of his other taxes, would thus lodge and feed him without feeling it; and those of them who are able, paying for the tuition of their own children, would leave no call on the public fund but for the tuition fee of, here and there, an accidental pauper, who would still be fed and lodged with his parents. Suppose this fee ten dollars, and three hundred dollars apportioned to a county on an average (more or less duly proportioned,) would there be thirty such paupers for every county? I think not. The truth is, that the want of common education with us is not from our poverty, but from want of an orderly system. More money is now paid for the education of a part, than would be paid for that of the whole, if systematically arranged. Six thousand common schools in New York, fifty pupils in each, three hundred thousand in all; one hundred and sixty thousand dollars annually paid to the masters; forty established academies, with two thousand two hundred and eighteen pupils; and five colleges, with seven hundred and eighteen students; to which last classes of institutions seven hundred and twenty thousand dollars have been given; and the whole appropriations for education estimated at two and a half millions of dollars! What a pigmy to this is Virginia become, with a population almost equal to that of New York! And whence this difference? From the difference their rulers set on the value of knowledge, and the prosperity it produces. But still, if a pigmy, let her do what a pigmy may do. If among fifty children in each of the six thousand schools of New York, there are only paupers enough to employ twenty-five dollars of public money to each school, surely among the ten children of each of our one thousand and two hundred schools, the same sum of twenty-five dollars to each school, will teach its paupers, (five times as much as to the same number in New York,) and will amount for the whole to thirty thousand dollars a year, the one half only of our literary revenue.

Do then, dear Sir, think of this, and engage our friends to take in hand the whole subject. It will reconcile the friends of the elementary schools, and none are more warmly so than myself, lighten the difficulties of the University, and promote in every order of men the degree of instruction proportioned to their condition, and to their views in life. It will combine with the mass of our force, a wise direction of it, which will insure to our country its future prosperity and safety. I had formerly thought that visitors of the schools might be chosen by the county, and charged to provide teachers for every ward, and to superintend them. I now think it would be better for every ward to choose its own resident visitor, whose business it would be to keep a teacher in the ward, to superintend the school, and to call meetings of the ward for all purposes relating to it: their accounts to be settled, and wards laid off, by the courts. I think ward elections better for many reasons—one of which is sufficient, that it will keep elementary education out the hands of fanaticising preachers, who, in county elections, would be universally chosen, and the predominant sect of the county would possess itself of all its schools.

A wrist stiffened by an antient accident, now more so by the effect of age, renders writing a slow and irksome operation with me. I cannot, therefore, present these views, by separate letters to each of our colleagues in the legislature, but must pray you to communicate them to Mr. Johnson and General Breckenridge, and to request them to consider this as equally meant for them. Mr. Gordon being the local representative of the University, and among its most zealous friends, would be a more useful second to General Breckenridge, in the House of Delegates, by a free communication of what concerns the University, with which he has little opportunity of becoming acquainted. So, also, would it be as to Mr. Rives, who would be a friendly advocate.

Accept the assurances of my constant and affectionate esteem and respect.

TH. JEFFERSON.

TO THOMAS RITCHIE.

Monticello, December 25, 1820.

DEAR SIR,

On my return home after a long absence, I find here your favour of November the 23d, with Colonel Taylor's 'Construction Construed,' which you have been so kind as to send me, in the name of the author as well as yourself. Permit me, if you please, to use the same channel for conveying to him the thanks I render you also for this mark of attention. I shall read it, I know, with edification, as I did his Enquiry, to which I acknowledge myself indebted for many valuable ideas, and for the correction of some errors of early opinion, never seen in a correct light until presented to me in that work. That the present volume is equally orthodox I know before reading it, because I know that Colonel Taylor and myself have rarely, if ever, differed in any political principle of importance. Every act of his life, and every word he ever wrote, satisfies me of this. So, also, as to the two Presidents, late and now in office, I know them both to be of principles as truly republican as any men living. If there be any thing amiss, therefore, in the present state of our affairs, as the formidable deficit lately unfolded to us, indicates, I ascribe it to the inattention of Congress to their duties, to their unwise dissipation and waste of the public contributions. They seemed, some little while ago, to be at a loss for objects whereon to throw away the supposed fathomless funds of the treasury. I had feared the result, because I saw among them some of my old fellow labourers, of tried and known principles, yet often in their minorities. I am aware that in one of their most ruinous vagaries, the people were themselves betrayed into the same phrenzy with their Representatives. The deficit produced, and a heavy tax to supply it, will, I trust, bring both to their sober senses.

But it is not from this branch of government we have most to fear. Taxes and short elections will keep them right. The ju the United States is the subtle corps of sappers and miners, constantly working under ground to undermine the foundations of our confederated fabric. They are construing our constitution from a co-ordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, '*boni judicis est ampliare jurisdictionem.*' We shall see if they are bold enough to take daring stride their five lawyers have lately taken. If they then, with the editor of our book, in his address to the , I will say, that 'against this every man should raise ice,' and m his arm. Who wrote this nirable address? Sound mous, strong, not a word too ch, nor one which can b l but for the worse. That should go on, lay bar ounds of our constitution, these decisions *seriatim* l arouse, as it is able, the of the nati speculators on its patience. found, from at impeachment is an impracticable thing, a , they consider themselves ure for life; th responsibility to public opi-, the only rema them, under a practice first duced i Mansfield. An opinion is d up y a majority of one, delivered as if unanimous, with the silent acquiescence of lazy or timid associates, by a crafty chief judge, who sophisticates the law to his mind, by the turn of his own reasoning. A judiciary law was once reported by the Attorney General to Congress, requiring each judge to deliver his opinion *seriatim* and openly, and then to give it in writing to the clerk to be entered in the record. A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the nation is a solecism, at least in a republican government.

But to return to your letter; you ask for my opinion of the work you send me, and to let it go out to the public. This I have ever made a point of declining, (one or two instances only excepted). Complimentary thanks to writers who have sent me their works, have betrayed me sometimes before the public, without my consent having been asked. But I am far from presuming to direct the reading of my fellow citizens, who are good enough judges themselves of what is worthy their reading. I am, also, too desirous of quiet to place myself in the way of contention. Against this I am admonished by bodily decay, which cannot be unaccompanied by corresponding wane of the mind. Of this I am as yet sensible, sufficiently to be unwilling to trust myself before the public, and when I cease to be so, I hope that my friends will be too careful of me to draw me forth, and present me, like a Priam in armour, as a spectacle for public compassion. I hope our political bark will ride through all its dangers; but I can in future be but an inert passenger.

I salute you with sentiments of great friendship and respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, January 22, 1821.

I was quite rejoiced, dear Sir, to see that you had health and spirits enough to take part in the late convention of your State, for revising its constitution, and to bear your share in its debates and labours. The amendments of which we have as yet heard, prove the advance of liberalism in the intervening period; and encourage a hope that the human mind will some day get back to the freedom it enjoyed two thousand years ago. This country, which has given to the world the example of physical liberty, owes to it that of moral emancipation also, for as yet it is but nominal with us. The inquisition of public opinion overwhelms in practice the freedom asserted by the laws in theory.

Our anxieties in this quarter are all concentrated in the question, what does the Holy Alliance, in and out of Congress, mean to do with us on the Missouri question? And this, by the by, is but the name of the case, it is only the John Doe or Richard Roe of the ejectment. The real question, as seen in the States afflicted with this unfortunate population, is, are our slaves to be presented with freedom and a dagger? For, if Congress has the power to regulate the conditions of the inhabitants of the States, within the States, it will be but another exercise of that power, to declare that all shall be free. Are we then to see again Athenian and Lacedemonian confederacies?—to wage another Peloponnesian war to settle the ascendancy between them? Or is this the tocsin of merely a servile war? That remains to be seen; but not, I hope, by you or me. Surely they will parley awhile, and give us time to get out of the way. What a Bedlamite is man? But let us turn from our own uneasiness to the miseries of our southern friends. Bolivar and Morillo, it seems, have come to a parley, with dispositions at length to stop the useless effusion of human blood in that quarter. I feared, from the beginning, that these people were not yet sufficiently enlightened for self-government; and that after wading through blood and slaughter, they would end in military tyrannies, more or less numerous. Yet as they wished to try the experiment, I wished them success in it: they have now tried it, and will possibly find that their safest road will be an accommodation with the mother country, which shall hold them together by the single link of the same chief magistrate, leaving to him power enough to keep them in peace with one another, and to themselves the essential power of self-government and self-improvement, until they shall be sufficiently trained, by education and habits of freedom, to walk safely by themselves. Representative government, native functionaries, a qualified negative on their laws, with a previous security by compact for freedom of commerce, freedom of the press, *habeas corpus*, and trial by jury, would make a good beginning. This last would be the school in which their people might begin to learn the exercise of civic duties as well as rights. For freedom of religion they are not yet prepared. The scales of bigotry have not sufficiently fallen from their eyes, to accept it for themselves individually, much less to trust others with it. But that will come in time, as well as a general ripeness to break entirely from the parent stem. You see, my dear Sir, how easily we prescribe for others a cure for their difficulties, while we cannot cure our own. We must leave both, I believe, to Heaven, and wrap ourselves up in the mantle of resignation, and of that friendship of which I tender to you the most sincere assurances.

TH. JEFFERSON.

TO JOSEPH C. CABELL.

Monticello, January 31, 1821.

DEAR SIR,

Your favours of the 18th and 25th came together, three days ago. They fill me with gloom as to the dispositions of our legislature towards the University. I perceive that I am not to live to see it opened. As to what had better be done within the limits of their will, I trust with entire confidence to what yourself, General Breckenridge, and Mr. Johnson shall think best. You will see what is practicable, and give it such shape as you think best. If a loan is to be resorted to, I think sixty thousand dollars will be necessary, including the library. Its instalments cannot begin until those of the former loan are accomplished; and they should not begin later, nor be less than thirteen thousand dollars a year. (I think it safe to retain two thousand dollars a year for care of the buildings, improvement of the grounds, and unavoidable contingencies.) To extinguish this second loan, will require between five and six instalments, which will carry us to the end of 1833, or thirteen years from this time. My individual opinion is, that we had better not open the institution until the buildings, library, and all, are finished, and our funds cleared of incumbrance. These buildings once erected, will secure the full object infallibly at the end of thirteen years, and as much earlier as the legislature shall choose. And if we were to begin sooner, with half funds only, it would satisfy the common mind, prevent their aid beyond that point, and our institution remaining at that for ever, would be no more than the paltry academies we now have. Even with the whole funds we shall be reduced to six professors; while Harvard will still prime it over us with her twenty professors. How many of our youths she now has, learning the lessons of anti-Missourianism, I know not; but a gentleman lately from Princeton, told me he saw there the list of the students at that place, and that more than half were Virginians. These will return home, no doubt, deeply impressed with the sacred principles of our Holy Alliance of restrictionists.

But the gloomiest of all prospects is in the desertion of the best friends of the institution, for desertion I must call it. I know not the necessities which may force this on you. General Cocke, you say, will explain them to me; but I cannot conceive them, nor persuade myself they are uncontrollable. I have ever hoped that yourself, General Breckenridge, and Mr. Johnson, would stand at your posts in the legislature, until every thing was effected, and the institution opened. If it is so difficult to get along with all the energy and influence of our present colleagues in the legislature, how can we expect to proceed at all, reducing our moving power? I know well your devotion to your country, and your foresight of the awful scenes coming on her, sooner or later. With this foresight, what service can we ever render her equal to this? What object of our lives can we propose so important? What interest of our own which ought not to be postponed to this? Health, time, labour—on what, in the single life which nature has given us, can these be better bestowed than on this immortal boon to our country? The exertions and the mortifications are temporary; the benefit eternal. If any member of our college of visitors could justifiably withdraw from this sacred duty, it would be myself, who, *quadragenis stipendiis jamdudum peractis*, have neither vigour of body nor mind left to keep the field will die in the last ditch, and so I hope you will, my friend, as well as our firm-breasted brothers and colleagues, . Johnson and General Breckenridge. Nature will not e you a second life wherein to atone for the omissions of s. Pray then, dear and very dear Sir, do not think of serting us, but view the sacrifices which seem to stand in ur way, as the lesser duties, and such as ought to be postned to this, the greatest of all. Continue with us in these y labours, until, having seen their accomplishment, we may with old Simeon, '*nunc dimittas, Domine.*' Under all umstances, however, of praise or blame, I shall be affecnately yours.

TH. JEFFERSON.

TO (KENRIDGE.

Monticello, February 15, 1821.

DEAR SIR,

learn, with de ion. t nothing is likely to be done our Universi near as it is to the shore one shove t there, I had hoped that would be given; and that we sho d open with the next year an institution on which the fortunes of our country may depend more than may meet the general eye. The reflections that the boys of this age are to be the men of the next; that they should be prepared to receive the holy charge which we are cherishing to deliver over to them; that in establishing an institution of wisdom for them, we secure it to all our future generations; that in fulfilling this duty, we bring home to our own bosoms the sweet consolation of seeing our sons rising under a luminous tuition, to destinies of high promise; these are considerations which will occur to all; but all, I fear, do not see the speck in our horizon which is to burst on us as a tornado, sooner or later. The line of division lately marked out between different portions of our confederacy, is such as will never, I fear, be obliterated, and we are now trusting to those who are against us in position and principle, to fashion to their own form the minds and affections of our youth. If, as has been estimated, we send three hundred thousand dollars a year to the northern seminaries, for the instruction of our own sons, then we must have there five hundred of our sons, imbibing opinions and principles in discord with those of their own country. This canker is eating on the vitals of our existence, and if not arrested at once, will be beyond remedy. We are now certainly furnishing recruits to their school. If it be asked what are we to do, or said we cannot give the last lift to the University without stopping our primary schools, and these we think most important; I answer, I know their importance. Nobody can doubt my zeal for the general instruction of the people. Who first started that idea? I may surely say, myself. Turn to the bill in the revised code, which I drew more than forty years ago, and before which the idea of a plan for the education of the people, generally, had never been suggested in this State. There you will see developed the first rudiments of the whole system of general education we are now urging and acting on; and it is well known to those with whom I have acted on this subject, that I never have proposed a sacrifice of the primary to the ultimate grade of instruction. Let us keep our eye steadily on the whole system. If we cannot do every thing at once, let us do one at a time. The primary schools need no preliminary expense; the ultimate grade requires a considerable expenditure in advance. A supension of proceeding for a year or two on the primary schools, and an application of the whole income, during that time, to the completion of the buildings necessary for the University, would enable us then to start both institutions at the same time. The intermediate branch of colleges, academies, and private classical schools, for the middle grade, may hereafter receive any necessary aids when the funds shall become competent. In the mean time, they are going on sufficiently, as they have ever yet gone on, at the private expense of those who use them, and who in numbers and means are competent to their own exigencies. The experience of three years has, I presume, left no doubt that the present plan of primary schools, of putting money into the hands of twelve hundred persons acting for nothing, and under no responsibility, is entirely inefficient. Some other must be thought of; and during this pause, if it be only for a year, the whole revenue of that year, with that of the last three years which has not been already thrown away, would place our University in readiness to start with a better organization of primary schools, and both may then go on, hand in hand, for ever. No diminution of the capital will in this way have been incurred; a principle which ought to be deemed sacred. A relinquishment of interest on the late loan of sixty thousand dollars, would, so far, also, forward the University without lessening the capital.

But what may be best done I leave with entire confidence to yourself and your colleagues in legislation, who know better than I do the conditions of the literary fund, and its wisest application; and I shall acquiesce with perfect resignation to their will. I have brooded, perhaps with fondness, over this establishment, as it held up to me the hope of continuing to be useful while I continued to live. I had believed that the course and circumstances of my life had placed within my power some services favourable to the outset of the institution. But this may be egoism; pardonable, perhaps, when I express a consciousness that my colleagues and successors will do as well, whatever the legislature shall enable them to do.

I have thus, my dear Sir, opened my bosom, with all its anxieties, freely to you. I blame nobody for seeing things in a different light. I am sure that all act conscientiously, and that all will be done honestly and wisely which can be done. I yield the concerns of the world with cheerfulness to those who are appointed in the order of nature to succeed to them; and for yourself, for our colleagues, and for all in charge of our country's future fame and fortune, I offer up sincere prayers.

TH. JEFFERSON.

TO —— NICHOLAS.

Monticello, December 11, 1821.

DEAR SIR,

Your letter of December the 19th places me under a dilemma, which I cannot solve but by an exposition of the naked truth. I would have wished this rather to have remained as hitherto, without inquiry; but your inquiries have a right to be answered. I will do it as exactly as the great lapse of time, and a waning memory will enable me. I may misremember indifferent circumstances, but can be right in substance.

At the time when the republicans of our country were so much alarmed at the proceedings of the federal ascendancy in Congress, in the executive and the judiciary departments, it became a matter of serious consideration how head could be made against their enterprizes on the constitution. The leading republicans in Congress found themselves of no use there, browbeaten as they were by a bold and overwhelming majority. They concluded to retire from that field, take a stand in the State legislatures, and endeavour there to arrest their progress. The alien and sedition laws furnished the particular occasion. The sympathy between Virginia and Kentucky was more cordial, and more intimately confidential, than between any other two States of republican policy. Mr. Madison came into the Virginia legislature. I was then in the Vice Presidency, and could not leave my station; but your father, Colonel W. C. Nicholas, and myself, happening to be together, the engaging the co-operation of Kentucky in an energetic protestation against the constitutionality of those laws, became a subject of consultation. Those gentlemen pressed me strongly to sketch resolutions for that purpose, your father undertaking to introduce them to that legislature, with a solemn assurance, which I strictly required, that it should not be known from what quarter they came. I drew and delivered them to him, and in keeping their origin secret, he fulfilled his pledge of honour. Some years after this, Colonel Nicholas asked me if I would have any objection to its being known that I had drawn them. I pointedly enjoined that it should not. Whether he had unguardedly intimated it before to any one, I know not; but I afterwards observed in the papers repeated imputations of them to me, on which, as has been my practice on all occasions of imputation, I have observed entire silence. The question, indeed, has never before been put to me, nor should I answer it to any other than yourself; seeing no good end to be proposed by it, and the desire of tranquillity inducing with me a wish to be withdrawn from public notice. Your father's zeal and talents were too well known, to derive any additional distinction from the penning these resolutions. That circumstance, surely, was of far less merit than the proposing and carrying them through the legislature of his State. The only fact in this statement, on which my memory is not distinct, is the time and occasion of the consultation with your father and Colonel Nicholas. It took place, here I know; but whether any other person was present, or communicated with, is my doubt. I think Mr. Madison was either with us, or consulted; but my memory is uncertain as to minute details.

I fear, dear Sir, we are now in such another crisis, with this difference only, that the judiciary branch is alone and single handed in the present assaults on the constitution. But its assaults are more sure and deadly, as from an agent seemingly passive and unassuming. May you and your cotemporaries meet them with the same determination and effect, as your father and his did the alien and sedition laws, and preserve inviolate a constitution, which, cherished in all its chastity and purity, will prove, in the end, a blessing to all the nations of the earth. With these prayers, accept those for your own happiness and prosperity.

TH. JEFFERSON.

TO JEDEDIAH MORSE.

Monticello, March 6, 1822.

SIR,

I have duly received your letter of February the 16th, and have now to express my sense of the honourable station proposed to my ex-brethren and myself, in the constitution of the society for the civilization and improvement of the Indian tribes. The object too expressed, as that of the association, is one which I have ever had much at heart, and never omitted an occasion of promoting, while I have been in situations to do it with effect; and nothing, even now, in the calm of age and retirement, would excite in me a more lively interest than an approvable plan of raising that respectable and unfortunate people from the state of physical and moral abjection, to which they have been reduced by circumstances foreign to them. That the plan now proposed is entitled to unmixed approbation, I am not prepared to say, after mature consideration, and with all the partialities which its professed object would rightfully claim from me.

I shall not undertake to draw the line of demarcation between private associations of laudable views and unimposing numbers, and those whose magnitude may rivalize and jeopardize the march of regular government. Yet such a line does exist. I have seen the days, they were those which preceded the Revolution, when even this last and perilous engine became necessary; but they were days which no man would wish to see a second time. That was the case where the regular authorities of the government had combined against the rights of the people, and no means of correction remained to them, but to organize a collateral power, which, with their support, might rescue and secure their violated rights. But such is not the case with our government. We need hazard no collateral power, which, by a change of its original views, and assumption of others we know not how virtuous or how mischievous, would be ready organized and in force sufficient to shake the established foundations of society, and endanger its peace and the principles on which it is based. Is not the machine now proposed of this gigantic stature? It is to consist of the ex-Presidents of the United States, the Vice President, the heads of all the executive departments, the members of the supreme judiciary, the Governors of the several States and territories, all the members of both Houses of Congress, all the general officers of the army, the commissioners of the navy, all Presidents and Professors of colleges and theological seminaries, all the clergy of the United States, the Presidents and secretaries of all associations having relation to Indians, all commanding officers within or near Indian territories, all Indian superintendents and agents; all these *ex officio;* and as many private individuals as will pay a certain price for membership. Observe too, that the clergy will constitute* nineteen-twentieths of this association, and, by the law of the majority, may command the twentieth part, which, composed of all the high authorities of the United States, civil and military, may be outvoted and wielded by the nineteen parts with uncontrollable power, both as to purpose and process. Can this formidable array be reviewed without dismay? It will be said, that in this association will be all the confidential officers of the government; the choice of the people themselves. No man on earth has more implicit confidence than myself in the integrity and discretion of this chosen band of servants. But is confidence or discretion, or is *strict limit*, the principle of our constitution? It will comprehend, indeed, all the functionaries of the government; but seceded from their constitutional stations as guardians of the nation, and acting not by the laws of their station, but by those of a voluntary society, having no limit to their purposes, but the same will which constitutes their existence. It will be the authorities of the people, and all influential characters from among them, arrayed on one side, and on the other, the people themselves deserted by their leaders. It is a fearful array. It will be said, that these are imaginary fears. I know they are so at present. I know it is as impossible for these agents of our choice and unbounded confidence, to harbour machinations against the adored principles of our constitution, as for gravity to change its direction, and gravid bodies to mount upwards. The fears are indeed imaginary: but the example is *real.* Under its authority, as a precedent, future associations will arise with objects at which we should shudder at this time. The society of Jacobins, in another country, was instituted on principles and views as virtuous as ever kindled the hearts of patriots. It was the pure patriotism of their purposes which extended their association to the limits of the nation, and rendered their power within it boundless; and it was this power which degenerated their principles and practices to such enormities, as never before could have been imagined. Yet these were men; and we and our descendants will be no more. The present is a case where, if ever, we are to guard against ourselves; not against ourselves as we are, but as we may be; for who can now imagine what we may become under circumstances not now imaginable? The object too, of this institution, seems to require so hazardous an example, as little as any which could be proposed. The government is, at this time, going on with the process of civilizing the Indians, on a plan probably as promising as any one of us is able to devise, and with resources more competent than we could expect to command by voluntary taxation. Is it that the new characters called into association with those of the government are wiser than these? Is it that a plan originated by a meeting of private individuals is better than that prepared by the concentrated wisdom of the nation, of men not self-chosen, but clothed with the full confidence of the people? Is it that there is no danger that a new authority, marching, independently, alongside of the government, in the same line and to the same object, may not produce collision, may not thwart and obstruct the operations of the government, or wrest the object entirely from their hands? Might we not as well appoint a committee for each department of the government, to counsel and direct its head separately, as volunteer ourselves to counsel and direct the whole, in mass? And might we not do it as well for their foreign, their fiscal, and their military, as for their Indian affairs? And how many societies, auxiliary to the government, may we expect to see spring up, in imitation of this, offering to associate themselves in this and that of its functions? In a word, why not take the government out of its constitutional hands, associate them indeed with us, to preserve a semblance that the acts are theirs, but insuring them to be our own by allowing them a minor vote only?

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* The clergy of the United States may probably be estimated at eight thousand. The residue of this society at four hundred; but if the former number be halved, the reasoning will be the same.

These considerations have impressed my mind with a force so irresistible, that (in duty bound to answer your polite letter, without which I should not have obtruded an opinion) I have not been able to withhold the expression of them. Not knowing the individuals who have proposed this plan. I cannot be conceived as entertaining personal disrespect for them. On the contrary, I see in the printed list persons for whom I cherish sentiments of sincere friendship; and others, for whose opinions and purity of purpose I have the highest respect. Yet thinking as I do, that this association is unnecessary; that the government is proceeding to the same object under control of the law; that they are competent to it in wisdom, in means, and inclination; that this association, this wheel within a wheel, is more likely to produce collision than aid; and that it is, in its magnitude, of dangerous example; I am bound to say, that, as a dutiful citizen, I cannot in conscience become a member of this society, possessing as it does my entire confidence in the integrity of its views. I feel with awe the weight of opinion to which I may be opposed, and that, for myself, I have need to ask the indulgence of a belief that the opinion I have given is the best result I can deduce from my own reason and experience, and that it is sincerely conscientious. Repeating, therefore, my just acknowledgments for the honor proposed to me; I beg leave to add the assurances to the society and yourself of my highest confidence and consideration.

Th. Jefferson.

TO DOCTOR BENJAMIN WATERHOUSE.

Monticello, June 26, 1822.

Dear Sir,

I have received and read with thankfulness and pleasure your denunciation of the abuses of tobacco and wine. Yet, however sound in its principles, I expect it will be but a sermon to the wind. You will find it as difficult to inculcate these sanitive precepts on the sensualities of the present day, as to convince an Athanasian that there is but one God. I wish success to both attempts, and am happy to learn from you that the latter, at least, is making progress, and the more rapidly in proportion as our Platonising Christians make more stir and noise about it. The doctrines of Jesus are simple, and tend all to the happiness of man:

1. That there is one only God, and he all perfect.
2. That there is a future state of rewards and punishments.
3. That to love God with all thy heart and thy neighbour as thyself, is the sum of religion. These are the great points

on which he endeavoured to reform the religion of the Jews. But compare with these the demoralizing dogmas of Calvin:

1. That there are three Gods.
2. That good works, or the love of our neighbour, are nothing.
3. That faith is every thing, and the more incomprehensible the proposition, the more merit in its faith.
4. That reason in religion is of unlawful use.
5. That God, from the beginning, elected certain individuals to be saved, and certain others to be damned; and that no crimes of the former can damn them,—no virtues of the latter save.

Now, which of these is the true and charitable Christian? He who believes and acts on the simple doctrines of Jesus? Or the impious dogmatists, as Athanasius and Calvin? Verily I say these are the false shepherds foretold as to enter not by the door into the sheepfold, but to climb up some other way. They are mere usurpers of the Christian name, teaching a counter-religion made up of the *deliria* of crazy imaginations, as foreign from Christianity as is that of Mahomet. Their blasphemies have driven thinking men into infidelity, who have too hastily rejected the supposed author himself, with the horrors so falsely imputed to him. Had the doctrines of Jesus been preached always as pure as they came from his lips, the whole civilized world would now have been Christian. I rejoice that in this blessed country of free inquiry and belief, which has surrendered its creed and conscience to neither Kings nor priests, the genuine doctrine of one only God is reviving, and I trust that there is not a *young man* now living in the United States who will not die an Unitarian.

But much I fear, that when this great truth shall be re-established, its votaries will fall into the fatal error of fabricating formulas of creed and confessions of faith, the engines which so soon destroyed the religion of Jesus, and made of Christendom a mere Aceldama; that they will give up morals for mysteries, and Jesus for Plato. How much wiser are the Quakers, who, agreeing in the fundamental doctrines of the gospel, schismatise about no mysteries, and, keeping within the pale of common sense, suffer no speculative differences of opinion, any more than of feature, to impair the love of their brethren. Be this the wisdom of Unitarians, this the holy mantle which shall cover within its charitable circumference all who believe in one God, and who love their neighbour! I conclude my sermon with sincere assurances of my friendly esteem and respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, June 27, 1822.

DEAR SIR,

Your kind letter of the 11th has given me great satisfaction. For although I could not doubt but that the hand of age was pressing heavily on you, as on myself, yet we like to know the particulars and the degree of that pressure. Much reflection too, has been produced by your suggestion of lending my letter of the 1st to a printer. I have, generally, great aversion to the insertion of my letters in the public papers; because of my passion for quiet retirement, and never to be exhibited in scene on the public stage.' Nor am I unmindful of the precept of Horace. '*solvere senescentem, mature sanus equum, ne peccet ad extremum, ridendus.*' In the present case, however, I see a possibility that this might aid in producing the very quiet after which I pant. I do not know how far you may suffer, as I do, under the persecution of letters, of which every mail brings a fresh load. They are letters of inquiry, for the most part, always of good will, sometimes from friends whom I esteem, but much oftener from persons whose names are unknown to me, but written kindly and civilly, and to which, therefore, civility requires answers. Perhaps, the better known failure of your hand in its function of writing, may shield you in greater degree from this distress, and so far qualify the misfortune of its disability. I happened to turn to my letter-list some time ago, and a curiosity was excited to count those received in a single year. It was the year before the last. I found the number to be one thousand two hundred and sixty-seven, many of them requiring answers of elaborate research, and all to be answered with due attention and consideration. Take an average of this number for a week or a day, and I will repeat the question suggested by other considerations in mine of the 1st. Is this life? At best, it is but the life of a mill-horse, who sees no end to his circle but in death. To such a life, that of a cabbage is paradise. It occurs, then, that my condition of existence, truly stated in that letter, if better known, might check the kind indiscretions which are so heavily oppressing the departing hours of life. Such a relief would, to me, be an ineffable blessing. But yours of the 11th, equally interesting and affecting, should accompany that to which it is an answer. The two, taken together, would excite a joint interest, and place before our fellow-citizens the present condition of two antient servants, who, having faithfully performed their forty or fifty campaigns, *stipendiis omnibus expletis*, have a reasonable claim to repose from all disturbance in the sanctuary of invalids and superannuates. But some device should be thought of for their getting before the public otherwise than by our own publication. Your printer, perhaps, could frame something plausible. ********'s name should be left blank, as his picture, should it meet his eye, might give him pain. I consign, however, the whole subject to your consideration, to do in it whatever your own judgment shall approve, and repeat always, with truth, the assurance of my constant and affectionate friendship and respect.

TH. JEFFERSON.

TO WILLIAM T. BARRY.

Monticello, July 2, 1822.

SIR,

Your favour of the 15th of June is received, and I am very thankful for the kindness of its expressions respecting myself: but it ascribes to me merits which I do not claim. I was only of a band devoted to the cause of independence, all of whom exerted equally their best endeavours for its success, and have a common right to the merits of its acquisition. So, also, in the civil revolution of 1801. Very many and very meritorious were the worthy patriots who assisted in bringing back our government to its republican tack. To preserve it in that will require unremitting vigilance. Whether the surrender of our opponents, their reception into our camp, their assumption of our name, and apparent accession to our objects, may strengthen or weaken the genuine principles of republicanism, may be a good or an evil, is yet to be seen. I consider the party division of whig and tory the most wholesome which can exist in any government, and well worthy of being nourished, to keep out those of a more dangerous character. We already see the power, installed for life, responsible to no authority, (for impeachment is not even a scarecrow,) advancing with a noiseless and steady pace to the great object of consolidation. The foundations are already deeply laid by their decisions, for the annihilation of constitutional State rights, and the removal of every check, every counterpoise, to the ingulphing power of which themselves are to make a sovereign part. If ever this vast country is brought under a single government, it will be one of the most extensive corruption, indifferent, and incapable of a wholesome care over so wide a spread of surface. This will not be borne, and you will have to choose between reformation and revolution. If I know the spirit of this country, the one or the other is inevitable. Before the canker is become inveterate, before its venom has reached so much of the body politic as to get beyond control, remedy should be applied. Let the future appointments of judges be for four or six years, and renewable by the President and Senate. This will bring their conduct, at regular periods, under revision and probation, and may keep them in equipoise between the general and special governments. We have erred in this point, by copying England, where, certainly, it is a good thing to have the judges independent of the King. But we have omitted to copy their caution also, which makes a judge removable on the address of both legislative Houses. That there should be public functionaries independent of the nation, whatever may be their demerit, is a solecism in a republic of the first order of absurdity and inconsistency.

To the printed inquiries respecting our schools, it is not in my power to give an answer. Age, debility, an antient dislocated, and now stiffened wrist, render writing so slow and painful, that I am obliged to decline every thing possible requiring writing. An act of our legislature will inform you of our plan of primary schools, and the annual reports shew that it is becoming completely abortive, and must be abandoned very shortly, after costing us to this day one hundred and eighty thousand dollars, and yet to cost us forty-five thousand dollars a year more until it shall be discontinued; and if a single boy has received the elements of common education, it must be in some part of the country not known to me. Experience has but too fully confirmed the early predictions of its fate. But on this subject I must refer you to others more able than I am to go into the necessary details; and I conclude with the assurances of my great esteem and respect.

TH. JEFFERSON.

TO DOCTOR WATERHOUSE.

Monticello, July 19, 1822.

Dear Sir,

An antiently dislocated, and now stiffening wrist, makes writing an operation so slow and painful to me, that I should not so soon have troubled you with an acknowledgment of your favour of the 8th, but for the request it contained of my consent to the publication of my letter of June the 26th. No, my dear Sir, not for the world. Into what a nest of hornets would it thrust my head! the *genus irritabile vatum*, on whom argument is lost, and reason is, by themselves, disclaimed in matters of religion. Don Quixote undertook to redress the bodily wrongs of the world, but the redressment of mental vagaries would be an enterprise more than Quixotic. I should as soon undertake to bring the crazy skulls of Bedlam to sound understanding, as inculcate reason into that of an Athanasian. I am old, and tranquillity is now my *summum bonum*. Keep me, therefore, from the fire and fagots of Calvin and his victim Servetus. Happy in the prospect of a restoration of primitive Christianity, I must leave to younger athletes to encounter and lop off the false branches which have been engrafted into it by the mythologists of the middle and modern ages. I am not aware of the peculiar resistance to Unitarianism, which you ascribe to Pennsylvania. When I lived in Philadelphia, there was a respectable congregation of that sect, with a meeting-house and regular service which I attended, and in which Doctor Priestley officiated to numerous audiences. Baltimore has one or two churches, and their pastor, author of an inestimable book on this subject, was elected chaplain to the late Congress. That doctrine has not yet been preached to us: but the breeze begins to be felt which precedes the storm; and fanaticism is all in a bustle, shutting its doors and windows to keep it out. But it will come, and drive before it the foggy mists of Platonism which have so long obscured our atmosphere. I am in hopes that some of the disciples of your institution will become missionaries to us, of these doctrines truly evangelical, and open our eyes to what has been so long hidden from them. A bold and eloquent preacher would be no where listened to with more freedom than in this State, nor with more firmness of mind. They might need a preparatory discourse on the text of 'prove all things, hold fast that which is good,' in order to unlearn the lesson that reason is an unlawful guide in religion. They might startle on being first awakened from the dreams of the night, but they would rub their eyes at once, and look the spectres boldly in the face. The preacher might be excluded by our hierophants from their churches and meeting-houses, but would be attended in the fields by whole acres of hearers and thinkers. Missionaries from Cambridge would soon be greeted with more welcome, than from the tritheistical school of Andover. Such are my wishes, such would be my welcomes, warm and cordial as the assurances of my esteem and respect for you.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, November 1, 1822.

DEAR SIR,

I have racked my memory and ransacked my papers, to enable myself to answer the inquiries of your favour of October the 15th; but to little purpose. My papers furnish me nothing, my memory, generalities only. I know that while I was in Europe, and anxious about the fate of our seafaring men, for some of whom, then in captivity in Algiers, we were treating, and all were in like danger, I formed, undoubtingly, the opinion that our government, as soon as practicable, should provide a naval force sufficient to keep the Barbary states in order; and on this subject we communicated together, as you observe. When I returned to the United States, and took part in the administration under General Washington, I constantly maintained that opinion; and in December 1790, took advantage of a reference to me from the first Congress which met after I was in office, to report in favour of a force sufficient for the protection of our Mediterranean commerce; and I laid before them an accurate statement of the whole Barbary force, public and private. I think General Washington approved of building vessels of war to that extent. General Knox, I know, did. But what was Colonel Hamilton's opinion, I do not in the least remember. Your recollections on that subject are certainly corroborated by his known anxieties for a close connection with Great Britain, to which he might apprehend danger from collisions between their vessels and ours. Randolph was then Attorney General; but his opinion on the question I also entirely forget. Some vessels of war were accordingly built and sent into the Mediterranean. additions to these in your time, I need not note to you, are well known to have ever been an advocate for the oden walls of Themistocles. Some of those you added, sold under an act of Congress passed while you were in e. I thought, afterwards, that the public safety might ire some additional vessels of strength, to be prepared and adiness for the first moment of a war, provided they could preserved against the decay which is unavoidable if kept e water, and clear of the expense of officers and men. h this view I proposed th ey should be built in dry ks, above the level of the waters, and covered with s. I further advised, that places for these docks should selected where there was a c nand of water on a high l, as that of the ashington, by which the sels might be float rinciple of a lock. But majority of the legislature gainst any addition to the y, and the minority, althou r it in judgment, voted inst it on a principle of opposition. We are now, I under- l, building vessels to remain the stocks, under shelter, wanted, when they nched and finished. On plan they could be in n hour's notice. On this, the finishing, after launching, will be a work of time.

This is all I recollect about the origin and progress of our navy. That of the late war, certainly raised our rank and character among nations. Yet a navy is a very expensive engine. It is admitted, that in ten or twelve years a vessel goes to entire decay; or, if kept in repair, costs as much as would build a new one: and that a nation who could count on twelve or fifteen years of peace, would gain by burning its navy and building a new one in time. Its extent, therefore, must be governed by circumstances. Since my proposition for a force adequate to the piracies of the Mediterranean, a similar necessity has arisen in our own seas for considerable addition to that force. Indeed, I wish we could have a convention with the naval powers of Europe, for them to keep down the pirates of the Mediterranean, and the slave ships on the coast of Africa, and for us to perform the same duties for the society of nations in our seas. In this way, those collisions would be avoided between the vessels of war of different nations, which beget wars, and constitute the weightiest objection to navies. I salute you with constant affection and respect.

TH. JEFFERSON.

[The annexed is the letter to which the foregoing is a reply.]

TO THOMAS JEFFERSON.

Montezillo, October 15, 1822.

DEAR SIR,

I have long entertained scruples about writing this letter, upon a subject of some delicacy. But old age has overcome them at last.

You remember the four ships ordered by Congress to be built, and the four captains appointed by Washington, Talbot, and Truxton, and Barry, &c., to carry an ambassador to Algiers, and protect our commerce in the Mediterranean. I have always imputed this measure to you; for several reasons. First, because you frequently proposed it to me while we were at Paris, nogotiating together for peace with the Barbary powers. Secondly, because I knew that Washington and Hamilton were not only indifferent about a navy, but averse to it. There was no Secretary of the Navy; only four heads of department. You were Secretary of State; Hamilton, Secretary of the Treasury; Knox, Secretary of War; and I believe Bradford was Attorney General. I have always suspected that you and Knox were in favour of a navy. If Bradford was so, the majority was clear. But Washington, I am confident, was against it in his judgment. But his attachment to Knox, and his deference to your opinion, for I know he had a great regard for you, might induce him to decide in favour of you and Knox, even though Bradford united with Hamilton in opposition to you. That Hamilton was averse to the measure, I have personal evidence; for while it was pending, he came, in a hurry and a fit of impatience, to make a visit to me. He said, he was likely to be called upon for a large sum of money to build ships of war, to fight the Algerines, and he asked my opinion of the measure. I answered him that I was clearly in favour of it. For I had always been of opinion, from the commencement of the revolution, that a navy was the most powerful, the safest, and the cheapest national defence for this country. My advice, therefore, was, that as much of the revenue as could possibly be spared, should be applied to the building and equipping of ships. The conversation was of some length, but it was manifest, in his looks and in his air, that he was disgusted at the measure, as well as at the opinion that I had expressed.

Mrs. Knox not long since wrote a letter to Doctor Water-
e, requesting him to procure a commission for her son, in
navy; that navy, says her ladyship, of which his father
the parent. 'For,' says she, 'I have frequently heard
eral Washington say to my husband, the navy was your
l.' I have always believed it to be Jefferson's child,
gh Knox may have assisted in ushering it into the world.
lton's hobby was the army. That Washington was
to a navy, I had full proof from his own lips, in many
ent conversations, s n of length, in which he
ys insisted, that it was o ding and arming ships for
English. '*Si quid novi s istis, candidus imperti;*
, *his utere mecum.*'

I am in error in an pray correct your humble
nt,

JOHN ADAMS.

T OPER.

Monticello, November 2, 1822.

DEAR SIR,

Your favour of October the 18th came to hand yesterday. The atmosphere of our country is unquestionably charged with a threatening cloud of fanaticism, lighter in some parts, denser in others, but too heavy in all. I had no idea, however, that in Pennsylvania, the cradle of toleration and freedom of religion, it could have arisen to the height you describe. This must be owing to the growth of Presbyterianism. The blasphemy and absurdity of the five points of Calvin, and the impossibility of defending them, render their advocates impatient of reasoning, irritable, and prone to denunciation. In Boston, however, and its neighbourhood, Unitarianism has advanced to so great strength, as now to humble this haughtiest of all religious sects; insomuch, that they condescend to interchange with them and the other sects, the civilities of preaching freely and frequently in each others' meeting-houses. In Rhode Island, on the other hand, no sectarian preacher will permit an Unitarian to pollute his desk. In our Richmond there is much fanaticism, but chiefly among the women. They have their night meetings and praying parties, where, attended by their priests, and sometimes by a hen-pecked husband, they pour forth the effusions of their love to Jesus, in terms as amatory and carnal, as their modesty would permit them to use to a mere earthly lover. In our village of Charlottesville, there is a good degree of religion, with a small spice only of fanaticism. We have four sects, but without either church or meeting-house. The court house is the common temple, one Sunday in the month to each. Here, Episcopalian and Presbyterian, Methodist and Baptist, meet together, join in hymning their Maker, listen with attention and devotion to each others' preachers, and all mix in society with perfect harmony. It is not so in the districts where Presbyterianism prevails undividedly. Their ambition and tyranny would tolerate no rival if they had power. Systematical in grasping at an ascendancy over all other sects, they aim, like the Jesuits, at engrossing the education of the country, are hostile to every institution which they do not direct, and jealous at seeing others begin to attend at all to that object. The diffusion of instruction, to which there is now so growing an attention, will be the remote remedy to this fever of fanaticism; while the more proximate one will be the progress of Unitarianism. That this will, ere long, be the religion of the majority, from north to south, I have no doubt.

In our University, you know there is no professorship of Divinity. A handle has been made of this, to disseminate an idea that this is an institution, not merely of no religion, but against all religion. Occasion was taken at the last meeting of the Visitors to bring forward an idea that might silence this calumny, which weighed on the minds of some honest friends to the institution. In our annual report to the legislature, after stating the constitutional reasons against a public establishment of any religious instruction, we suggest the expediency of encouraging the different religious sects to establish, each for itself, a professorship of their own tenets, on the confines of the University, so near as that their students may attend the lectures there, and have the free use of our library, and every other accommodation we can give them; preserving, however, their independence of us and of each other. This fills the chasm objected to ours, as a defect in an institution professing to give instruction in *all* useful sciences. I think the invitation will be accepted by some sects from candid intentions, and by others from jealousy and rivalship. And by bringing the sects together, and mixing them with the mass of other students, we shall soften their asperities, liberalize and neutralize their prejudices, and make the general religion a religion of peace, reason, and morality.

The time of opening our University is still as uncertain as ever. All the pavilions, boarding-houses, and dormitories are done. Nothing is now wanting but the central building for a library and other general purposes; for this we have no funds, and the last legislature refused all aid. We have better hopes of the next, but all is uncertain. I have heard with regret of disturbances on the part of the students in your seminary. The article of discipline is the most difficult in American education. Premature ideas of independence, too little repressed by parents, beget a spirit of insubordination, which is the great obstacle to science with us, and a principal cause of its decay since the Revolution. I look to it with dismay in our institution, as a breaker a-head, which I am far from being confident we shall be able to weather. The advance of age, and tardy pace of the public patronage, may probably spare me the pain of witnessing consequences.

I salute you with constant friendship and respect.

Th. Jefferson.

TO JAMES SMITH.

Monticello, December 8, 1822.

Sir,

I have to thank you for your pamphlets on the subject of Unitarianism, and to express my gratification with your efforts for the revival of primitive Christianity in your quarter. No historical fact is better established than that the doctrine of one God, pure and uncompounded, was that of the early ages of Christianity; and was among the efficacious doctrines which gave it triumph over the polytheism of the ancients, sickened with the absurdities of their own theology. Nor was the unity of the Supreme Being ousted from the Christian creed by the force of reason, but by the sword of civil government, wielded at the will of the fanatic Athanasius. The hocus-pocus phantasm of a God like another Cerberus, with one body and three heads, had its birth and growth in the blood of thousands and thousands of martyrs. And a strong proof of the solidity of the primitive faith, is its restoration, as soon as a nation arises which vindicates to itself the freedom of religious opinion, and its external divorce from the civil authority. The pure and simple unity of the Creator of the universe, is now all but ascendant in the eastern States; it is dawning in the west, and advancing towards the south; and

I confidently expect that the present generation will see Unitarianism become the general religion of the United States. The eastern presses are giving us many excellent pieces on the subject, and Priestley's learned writings on it are, or should be, in every hand. In fact, the Athanasian paradox that one is three, and three but one, is so incomprehensible to the human mind, that no candid man can say he has any idea of it, and how can he believe what presents no idea? He who thinks he does, only deceives himself. He proves, also, that man, once surrendering his reason, has no remaining guard against absurdities the most monstrous, and like a ship without rudder, is the sport of every wind. With such persons gullibility, which they call faith, takes the helm from the hand of reason, and the mind becomes a wreck.

I write with freedom, because, while I claim a right to believe in one God, if so my reason tells me, I yield as freely to others that of believing in three. Both religions, I find, make honest men, and that is the only point society has any right to look to. Although this mutual freedom should produce mutual indulgence, yet I wish not to be brought in question before the public on this or any other subject, and I pray you to consider me as writing under that trust. I take no part in controversies, religious or political. At the age of eighty, tranquillity is the greatest good of life, and the strongest of our desires that of dying in the good will of all mankind. And with the assurances of all my good will to Unitarian and Trinitarian, to Whig and Tory, accept for yourself that of my entire respect.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, February 25, 1823.

DEAR SIR,

I received, in due time, your two favours of December the 2nd and February the 10th, and have to acknowledge for the ladies of my native State, their obligations to you for the encomiums which you are so kind as to bestow on them. They certainly claim no advantages over those of their sister States, and are sensible of more favourable circumstances existing with many of them, and happily availed, which our situation does not offer. But the paper respecting Monticello, to which you allude, was not written by a Virginian, but a visitant from another State; and written by memory at least a dozen years after the visit. This has occasioned some lapses of recollection, and a confusion of some things in the mind of our friend, and particularly as to the volume of slanders supposed to have been cut out of newspapers and preserved. It would not, indeed, have been a single volume, but an encyclopedia in bulk. But I never had such a volume; indeed, I rarely thought those libels worth reading, much less preserving and remembering. At the end of every year, I generally sorted all my pamphlets and had them bound according to their subjects. One of these volumes consisted of personal altercations between individuals, and calumnies on each other. This was lettered on the back, 'Personalities,' and is now in the library of Congress. I was in the habit, also, while living apart from my family, of cutting out of the newspapers such morsels of poetry, or tales, as I thought would please, and of sending them to my grandchildren, who pasted them on leaves of blank paper and formed them into a book. These two volumes have been confounded into one in the recollection of our friend. Her poetical imagination, too, has heightened the scenes she visited, as well as the merits of the inhabitants, to whom her society was a delightful gratification.

I have just finished reading O'Meara's Buonaparte. It places him in a higher scale of understanding than I had allotted him. I had thought him the greatest of all military captains, but an indifferent statesman, and misled by unworthy passions. The flashes, however, which escaped from him in these conversations with O'Meara, prove a mind of great expansion, although not of distinct development and reasoning. He seizes results with rapidity and penetration, but never explains logically the process of reasoning by which he arrives at them. This book, too, makes us forget his atrocities for a moment, in commiseration of his sufferings. I will not say that the authorities of the world, charged with the care of their country and people, had not a right to confine him for life, as a lion or tiger, on the principle of self-preservation. There was no safety to nations while he was permitted to roam at large. But the putting him to death in cold blood, by lingering tortures of mind, by vexations, insults, and deprivations, was a degree of inhumanity to which the poisonings and assassinations of the school of Borgia and the den of Marat never attained. The book proves, also, that nature had denied him the moral sense, the first excellence of well organized man. If he could seriously and repeatedly affirm, that he had raised himself to power without ever having committed a crime, it proves that he wanted totally the sense of right and wrong. If he could consider the millions of human lives which he had destroyed or caused to be destroyed, the desolations of countries by plunderings, burnings, and famine, the destitutions of lawful rulers of the world without the consent of their constituents, to place his brothers and sisters on their thrones, the cutting up of established societies of men, and jumbling them discordantly together again at his caprice, the demolition of the fairest hopes of mankind for the recovery of their rights and amelioration of their condition, and all the numberless train of his other enormities; the man, I say, who could consider all these as no crimes, must have been a moral monster, against whom every hand should have been lifted to slay him.

You are so kind as to inquire after my health. The bone of my arm is well knitted, but my hand and fingers are in a discouraging condition, kept entirely useless by an oedematous swelling of slow amendment.

God bless you, and continue your good health of body and mind.

Th. Jefferson.

TO JOHN ADAMS.

Monticello, April 11, 1823.

Dear Sir,

The wishes expressed in your last favour, that I may continue in life and health until I become a Calvinist, at least in his exclamation of, '*mon Dieu! jusqu' à quand!*' would make me immortal. I can never join Calvin in addressing *his God.* He was indeed an atheist, which I can never be; or rather his religion was dæmonism. If ever man worshipped a false God, he did. The being described in his five points, is not the God whom you and I acknowledge and adore, the creator and benevolent governor of the world; but a dæmon of malignant spirit. It would be more pardonable to believe in no God at all, than to blaspheme him by the atrocious attributes of Calvin. Indeed, I think that every Christian sect gives a great handle to atheism by their general dogma, that, without a revelation, there would not be sufficient proof of the being of a God. Now one sixth of mankind only are supposed to be Christians: the other five sixths then, who do not believe in the Jewish and Christian revelation, are without a knowledge of the existence of a God! This gives completely a *gain de cause* to the disciples of Ocellus, Timæus, Spinosa, Diderot, and D'Holbach. The argument which they rest on as triumphant and unanswerable is, that in every hypothesis of cosmogony, you must admit an eternal pre-existence of something; and according to the rule of sound philosophy, you are never to employ two principles to solve a difficulty when one will suffice. They say then, that it is more simple to believe at once in the eternal pre-existence of the world, as it is now going on, and may for ever go on by the principle of reproduction which we see and witness, than to believe in the eternal pre-existence of an ulterior cause, or creator of the world, a being whom we see not and know not, of whose form, substance, and mode, or place of existence, or of action, no sense informs us, no power of the mind enables us to delineate or comprehend. On the contrary, I hold, (without appeal to revelation) that when we take a view of the universe, in its parts, general or particular, it is impossible for the human mind not to perceive and feel a conviction of design, consummate skill, and indefinite power in every atom of its composition. The movements of the heavenly bodies, so exactly held in their course by the balance of centrifugal and centripetal forces; the structure of our earth itself, with its distribution of lands, waters, and atmosphere; animal and vegetable bodies, examined in all their minutest particles; insects, mere atoms of life, yet as perfectly organized as man or mammoth; the mineral substances, their generation and uses; it is impossible, I say, for the human mind not to believe, that there is in all this, design, cause, and effect, up to an ultimate cause, a fabricator of all things from matter and motion, their preserver and regulator while permitted to exist in their present forms, and their regenerator into new and other forms. We see, too, evident proofs of the necessity of a superintending power, to maintain the universe in its course and order. Stars, well known, have disappeared, new ones have come into view; comets, in their incalculable courses, may run foul of suns and planets, and require renovation under other laws; certain races of animals are become extinct; and were there no restoring power, all existences might extinguish successively, one by one, until all should be reduced to a shapeless chaos. So irresistible are these evidences of an intelligent and powerful agent, that, of the infinite numbers of men who have existed through all time, they have believed, in the proportion of a million at least to unit, in the hypothesis of an eternal pre-existence of a creator, rather than in that of a self-existent universe.

Surely this unanimous sentiment renders this more probable, than that of the few in the other hypothesis. Some early Christians, indeed, have believed in the co-eternal pre-existence of both the creator and the world, without changing their relation of cause and effect. That this was the opinion of St. Thomas, we are informed by Cardinal Toleta, in these words: '*Deus ab æterno fuit jam omnipotens, sicut cum produxit mundum. Ab æterno potuit producere mundum. Si sol ab æterno esset, lumen ab æterno esset; et si pes, similiter vestigium. At lumen et vestigium effectus sunt efficientis solis et pedis; potuit ergo cum causâ æternâ effectus co-æterna esse. Cujus sententia est S. Thomas theologorum primus.*'—Cardinal Toleta.

Of the nature of this being we know nothing. Jesus tell us, that 'God is a spirit,' 4 John 24; but without defining what a spirit is. 'πνευμα 'ο θεος.' Down to the third century, we know that it was still deemed material; but of a lighter, subtler matter than our gross bodies. So says Origen, '*Deus igitur, cui anima similis est, juxta originem, reapte corporalis est; sed graviorum tantum ratione corporum incorporeus.*' These are the words of Huet in his commentary on Origen. Origen himself says, '*appellatio* ασωματου *apud nostros scriptores est inusitata et incognita.*' So also Tertullian: '*quis autem negabit deum esse corpus etsi deus spiritus? Spiritus etiam corporis sui generis, in sua effigie.*'—Tertullian. These two fathers were of the third century. Calvin's character of this Supreme Being seems chiefly copied from that of the Jews. But the reformation of these blasphemous attributes, and substitution of those more worthy, pure, and sublime, seems to have been the chief object of Jesus in his discourses to the Jews; and his doctrine of the cosmogony of the world is very clearly laid down in the three first verses of the first chapter of John, in these words:—'Εν αρχη ην 'ο λογος, και 'ο λογος ην προς τον θεον, και θεος ην 'ο λογος. 'Ουτος ην εν αρχη προς τον θεον. Παντα δι' αυτου εγενετο, και χωρις αυτου εγενετο ουδε εν, 'ο γεγονεν.' Which, truly translated, means, 'In the beginning God existed, and reason [or mind] was with God, and that mind was God. This was in the beginning with God. All things were created by it, and without it was made not one thing which was made.' Yet this text, so plainly declaring the doctrine of Jesus, that the world was created by the supreme, intelligent Being, has been perverted by modern Christians to build up a second person of their tritheism, by a mistranslation of the word λογος. One of its legitimate meanings, indeed, is "a word." But in that sense it makes an unmeaning jargon;

while the other meaning, "reason," equally legitimate, explains rationally the eternal pre-existence of God, and his creation of the world. Knowing how incomprehensible it was that 'a word,' the mere action or articulation of the organs of speech, could create a world, they undertook to make of this articulation a second pre-existing being, and ascribe to him, and not to God, the creation of the universe. The atheist here plumes himself on the uselessness of such a God, and the simpler hypothesis of a self-existent universe. The truth is, that the greatest enemies to the doctrines of Jesus are those, calling themselves the expositors of them, who have perverted them for the structure of a system of fancy absolutely incomprehensible, and without any foundation in his genuine words. And the day will come, when the mystical generation of Jesus by the Supreme Being as his father, in the womb of a virgin, will be classed with the fable of the generation of Minerva in the brain of Jupiter. But we may hope that the dawn of reason, and freedom of thought in these United States, will do away all this artificial scaffolding, and restore to us the primitive and genuine doctrines of this the most venerated reformer of human errors.

So much for your quotation of Calvin's "*mon Dieu! jusqu' à quand!*" in which, when addressed to the God of Jesus, and our God, I join you cordially, and await his time and will with more readiness than reluctance. May we meet there again, in Congress, with our antient colleagues, and receive with them the seal of approbation, 'well done, good and faithful servants.'

Th. Jefferson.

TO THE PRESIDENT.

Monticello, June 11, 1823.

Dear Sir,

Considering that I had not been to Bedford for a twelvemonth before, I thought myself singularly unfortunate in so timing my journey, as to have been absent exactly at the moment of your late visit to our neighbourhood. The loss, indeed, was all my own; for in these short interviews with you I generally get my political compass rectified, learn from you whereabouts we are, and correct my course again. In exchange for this, I can give you but newspaper ideas, and little indeed of these, for I read but a single paper, and that hastily. I find Horace and Tacitus so much better writers than the champions of the gazettes, that I lay them down to take up these with great reluctance. And on the question you propose, whether we can, in any form, take a bolder attitude than formerly in favour of liberty, I can give you but common-place ideas. They will be but the widow's mite, and offered only because requested. The matter which now embroils Europe, the presumption of dictating to an independent nation the form of its government, is so arrogant, so atrocious, that indignation, as well as moral sentiment, enlists all our partialities and prayers in favour of one, and our equal execrations against the other. I do not know, indeed, whether all nations do not owe to one another a bold and open declaration of their sympathies with the one party, and their detestation of the conduct of the other. But farther than this we are not bound to go; and indeed, for the sake of the world, we ought not to increase the jealousies, or draw on ourselves the power of this formidable confederacy. I have ever deemed it fundamental for the United States never to take active part in the quarrels of Europe. Their political interests are entirely distinct from ours. Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government, are all foreign to us. They are nations of eternal war. All their energies are expended in the destruction of the labour, property, and lives of their people. On our part, never had a people so favourable a chance of trying the opposite system, of peace and fraternity with mankind, and the direction of all our means and faculties to the purposes of improvement instead of destruction. With Europe we have few occasions of collision, and these, with a little prudence and forbearance, may be generally accommodated. Of the brethren of our own hemisphere, none are yet, or for an age to come will be, in a shape, condition, or disposition to war against us. And the foothold which the nations of Europe had in either America, is slipping from under them, so that we shall soon be rid of their neighbourhood. Cuba alone seems at present to hold up a speck of war to us. Its possession by Great Britain would, indeed, be a great calamity to us. Could we induce her to join us in guarantying its independence against all the world, *except Spain*, it would be nearly as valuable to us as if it were our own. But should she take it, I would not immediately go to war for it; because the first war on other accounts will give it to us; or the island will give itself to us, when able to do so. While no duty, therefore, calls on us to take part in the present war of Europe, and a golden harvest offers itself in reward for doing nothing, peace and neutrality seem to be our duty and interest. We may gratify ourselves, indeed, with a neutrality as partial to Spain as would be justifiable without giving cause of war to her adversary; we might and ought to avail ourselves of the happy occasion of procuring and cementing a cordial reconciliation with her, by giving assurance of every friendly office which neutrality admits, and especially, against all apprehension of our intermeddling in the quarrel with her colonies. And I expect daily and confidently to hear of a spark kindled in France, which will employ her at home, and relieve Spain from all further apprehensions of danger.

That England is playing false with Spain cannot be doubted. Her government is looking one way and rowing another. It is curious to look back a little on past events. During the ascendancy of Buonaparte, the word among the herd of Kings, was '*sauve qui peut.*' Each shifted for himself, and left his brethren to squander and do the same as they could. After the battle of Waterloo, and the military possession of France, they rallied and combined in common cause, to maintain each other against any similar and future danger. And in this alliance, Louis, now avowedly, and George, secretly but solidly, were of the contracting parties; and there can be no doubt that the allies are bound by treaty to aid England with their armies, should insurrection take place among her people. The coquetry she is now playing off between her people and her allies is perfectly understood by the latter, and accordingly gives no apprehensions to France, to whom it is all explained. The diplomatic correspondence she is now displaying, these double papers fabricated merely for exhibition, in which she makes herself talk of morals and principle, as if her qualms of conscience would not permit her to go all lengths with her Holy Allies, are all to gull her own people. It is a theatrical farce, in which the five powers are the actors, England the Tartuffe, and her people the dupes. Playing thus so dextrously into each other's hands, and their own persons seeming secured, they are now looking to their privileged orders. These faithful auxiliaries, or accomplices, must be saved. This war is evidently that of the general body of the aristocracy, in which England is also acting her part. 'Save but the nobles and there shall be no war,' says she, masking her measures at the same time under the form of friendship and mediation, and hypocritically, while a party, offering herself as a judge, to betray those whom she is not permitted openly to oppose. A fraudulent neutrality, if neutrality at all, is all Spain will get from me. And Spain, probably, perceives this, and willingly [illegible] it rather than have her weight thrown merely into the other scale.

But I am going beyond my text, and running against the adage of carrying coals to Newcastle. In submitting to you my crude and uninformed notions of things beyond my cognizance, only be so good as to remember that it is at your request, and with as little confidence in my part as [illegible]. You will do what is right, leaving the people of Europe to act their follies and crimes among themselves, while we pursue in good faith the paths of peace and prosperity. To your judgment we are willingly resigned, with sincere assurances of affectionate esteem and respect.

TH. JEFFERSON.

TO JUDGE JOHNSON.

Monticello, June 12, 1823.

DEAR SIR,

Our correspondence is of that accommodating character, which admits of suspension at the convenience of either party, without inconvenience to the other. Hence this tardy acknowledgment of your favour of April the 11th. I learn from that with great pleasure, that you have resolved on continuing your history of parties. Our opponents are far ahead of us in preparations for placing their cause favourably before posterity. Yet I hope even from some of them the escape of precious truths, in angry explosions or effusions of vanity, which will betray the genuine monarchism of their principles. They do not themselves believe what they endeavour to inculcate, that we were an opposition party, not on principle, but merely seeking for office. The fact is, that at the formation of our government, many had formed their political opinions on European writings and practices, believing the experience of old countries, and especially of England, abusive as it was, to be a safer guide than mere theory. The doctrines of Europe were, that men in numerous associations cannot be restrained within the limits of order and justice, but by forces physical and moral, wielded over them by authorities independent of their will. Hence their organization of kings, hereditary nobles, and priests. Still further to constrain the brute force of the people, they deem it necessary to keep them down by hard labour, poverty, and ignorance, and to take from them, as from bees, so much of their earnings, as that unremitting labour shall be necessary to obtain a sufficient surplus barely to sustain a scanty and miserable life. And these earnings they apply to maintain their privileged orders in splendour and idleness, to fascinate the eyes of the people, and excite in them an humble adoration and submission, as to an order of superior beings. Although few among us had gone all these lengths of opinion, yet many had advanced, some more, some less, on the way. And in the convention which formed our government, they endeavoured to draw the cords of power as tight as they could obtain them, to lessen the dependence of the general functionaries on their constituents, to subject to them those of the States, and to weaken their means of maintaining the steady equilibrium which the majority of the convention had deemed salutary for both branches, general and local. To recover, therefore, in practice the powers which the nation had refused, and to warp to their own wishes those actually given, was the steady object of the federal party. Ours, on the contrary, was to maintain the will of the majority of the convention, and of the people themselves. We believed, with them, that man was a rational animal, endowed by nature with rights, and with an innate sense of justice; and that he could be restrained from wrong, and protected in right by moderate powers, confided to persons of his own choice, and held to their duties by dependence on his own will. We believed, that the complicated organization of kings, nobles, and priests, was not the wisest nor best to effect the happiness of associated man; that wisdom and virtue were not hereditary; that the trappings of such a machinery consumed, by their expense, those earnings of industry they were meant to protect, and, by the inequalities they produced, exposed liberty to sufferance. We believed that men, enjoying in ease and security the full fruits of their own industry, enlisted by all their interests on the side of law and order, habituated to think for themselves, and to follow their reason as their guide, would be more easily and safely governed, than with minds nourished in error, and vitiated, and debased, as in Europe, by ignorance, indigence, and oppression. The cherishment of the people then was our principle, the fear and distrust of them, that of the other party. Composed, as we were, of the landed and labouring interests of the country, we could not be less anxious for a government of law and order, than were the inhabitants of the cities, the strong holds of federalism. And whether our efforts to save the principles and form of our constitution, have not been salutary, let the present republican freedom, order, and prosperity of our country determine. History may distort truth, and will distort it for a time, by the superior efforts at justification of those who are conscious of needing it most. Nor will the opening scenes of our present government be seen in their true aspect, until the letters of the day, now held in private hoards, shall be broken up, and laid open to public view. What a treasure will be found in General Washington's cabinet, when it shall pass into the hands of as candid a friend to truth as he was himself! When no longer, like Cæsar's notes and memorandums in the hands of Anthony, it shall be open to the high priests of federalism only, and garbled to say so much, and no more, as suits their views!

With respect to his farewell address, to the authorship of which, it seems, there are conflicting claims, I can state to you some facts. He had determined to decline a re-election at the end of his first term, and so far determined, that he had requested Mr. Madison to prepare for him something valedictory, to be addressed to his constituents on his retirement. This was done: but he was finally persuaded to acquiesce in a second election, to which no one more strenuously pressed him than myself, from a conviction of the importance of strengthening, by longer habit, the respect necessary for that office, which the weight of his character only could effect. When, at the end of this second term, his valedictory came out, Mr. Madison recognised in it several passages of his draught, several others we were both satisfied were from the pen of Hamilton, and others from that of the President himself. These he probably put into the hands of Hamilton to form into a whole, and hence it may all appear in Hamilton's hand-writing, as if it were all of his composition.

I have stated above, that the original objects of the federalists were, 1. to warp our government more to the form and principles of monarchy, and, 2. to weaken the barriers of the State governments as co-ordinate powers. In the first they have been so completely foiled by the universal spirit of the nation, that they have abandoned the enterprize, shrunk from the odium of their old appellation, taken to themselves a participation of ours, and under the pseudo-republican mask, are now aiming at their second object, and, strengthened by unsuspecting or apostate recruits from our ranks, are advancing fast towards an ascendancy. I have been blamed for saying, that a prevalence of the doctrines of consolidation would one day call for reformation or *revolution*. I answer by asking, if a single State of the Union would have agreed to the constitution, had it given all powers to the General Government? If the whole opposition to it did not proceed from the jealousy and fear of every State, of being subjected to the other States in matters merely its own? And if there is any reason to believe the States more disposed now than then, to acquiesce in this general surrender of all their rights and powers to a consolidated government, one and undivided?

You request me confidentially, to examine the question, whether the Supreme Court has advanced beyond its constitutional limits, and trespassed on those of the State authorities? I do not undertake it, my dear Sir, because I am unable. Age, and the wane of mind consequent on it, have disqualified me from investigations so severe, and researches so laborious. And it is the less necessary in this case, as having been already done by others with a logic and learning to which I could add nothing. On the decision of the case of Cohens *v.* the State of Virgina, in the Supreme Court of the United States, in March 1821, Judge Roane, under the signature of Algernon Sidney, wrote for the Enquirer a series of papers on the law of that case. I considered these papers maturely as they came out, and confess, that they appeared to me to pulverise every word which had been delivered by Judge Marshall, of the extra judicial part of his opinion; and all was extra-judicial, except the decision that the act of Congress had not purported to give to the corporation of Washington the authority claimed by their lottery law, of controlling the laws of the States within the States themselves. But unable to claim that case, he could not let it go entirely, but went on gratuitously to prove, that notwithstanding the eleventh amendment of the constitution, a State *could* be brought, as a defendant, to the bar of his court; and again, that Congress might authorize a corporation of its territory to exercise legislation within a State, and paramount to the laws of that State. I cite the sum and result only of his doctrines, according to the impression made on my mind at the time, and still remaining. If not strictly accurate in circumstance, it is so in substance. This doctrine was so completely refuted by Roane, that if he can be answered, I surrender human reason as a vain and useless faculty, given to bewilder, and not to guide us. And I mention this particular case as one only of several, because it gave occasion to that thorough examination of the constitutional limits between the General and State jurisdictions, which you have asked for. There were two other writers in the same paper, under the signatures of Fletcher of Saltoun, and Somers, who in a few essays presented some very luminous and striking views of the question. And there was a particular paper which recapitulated all the cases in which it was thought the federal court had usurped on the State jurisdictions. These essays will be found in the Enquirers of 1821, from May the 10th, to July the 13th. It is not in my present power to send them to you, but if Ritchie can furnish them, I will procure and forward them. If they had been read in the other States, as they were here, I think they would have left, there as here, no dissentients from their doctrine. The subject was taken up by our legislature of 1821-'22, and two draughts of remonstrances were prepared and discussed. As well as I remember, there was no difference of opinion as to the matter of right; but there was as to the expediency of a remonstrance at that time, the general mind of the States being then under extraordinary excitement by the Missouri question: and it was dropped on that consideration. But this case is not dead, it only sleepeth. The Indian Chief said, he did not go to war for every petty injury by itself, but put it into his pouch, and when that was full, he then made war. Thank Heaven, we have provided a more peaceable and rational mode of redress.

This practice of Judge Marshall, of travelling out of his case to prescribe what the law would be in a moot case not before the court, is very irregular and very censurable. I recollect another instance, and the more particularly perhaps, because it in some measure bore on myself. Among the midnight appointments of Mr. Adams, were commissions to some federal justices of the peace for Alexandria. These were signed and sealed by him, but not delivered. I found them on the table of the department of State, on my entrance into office, and I forbade their delivery. Marbury, named in one of them, applied to the Supreme Court for a mandamus to the Secretary of State (Mr. Madison) to deliver the commission intended for him. The Court determined at once, that, being an original process, they had no cognizance of it; and there the question before them was ended. But the Chief Justice went on to lay down what the law would be, had they jurisdiction of the case; to wit, that they should command the delivery. The object was clearly to instruct any other court, having the jurisdiction, what they should do, if Marbury should apply to them. Besides the impropriety of this gratuitous interference, could any thing exceed the perversion of law? For if there is any principle of law never yet contradicted, it is that delivery is one of the essentials to the validity of a deed. Although signed and sealed, yet as long as it remains in the hands of the party himself, it is in *fieri* only, it is not a deed, and can be made so only by its delivery. In the hands of a third person it may be made an escrow. But whatever is in the executive offices is certainly deemed to be in the hands of the President; and in this case, was actually in my hands, because, when I countermanded them, there was as yet no Secretary of State. Yet this case of Marbury and Madison is continually cited by bench and bar, as if it were settled law, without any animadversion on its being merely an *obiter* dissertation of the Chief Justice.

It may be impracticable to lay down any general formula of words which shall decide at once, and with precision, in every case, this limit of jurisdiction. But there are two canons which will guide us safely in most of the cases. 1. The capital and leading object of the constitution was, to leave with the States all authorities which respected their own citizens only, and to transfer to the United States those which respected citizens of foreign or other States: to make us several as to ourselves, but one as to all others. In the latter case, then, constructions should lean to the general jurisdiction, if the words will bear it; and in favour of the States in the former, if possible to be so construed. And indeed, between citizens and citizens of the same State, and under their own laws, I know but a single case in which a jurisdiction is given to the General Government; that is, where any thing but gold or silver is made a lawful tender, or the obligation of contracts is any otherwise impaired. The separate legislatures had so often abused that power, that the citizens themselves chose to trust it to the general, rather than to their own special authorities. 2. On every question of construction, carry ourselves back to the time when the constitution was adopted, recollect the spirit manifested in the debates, and instead of trying what meaning may be squeezed out of the text, or invented against it, conform to the probable one in which it was passed. Let us try Cohen's case by these canons only, referring always, however, for full argument, to the essays before cited.

1. It was between a citizen and his own State, and under a law of his State. It was a domestic case, therefore, and not a foreign one.

2. Can it be believed, that under the jealousies prevailing against the General Government, at the adoption of the con-

stitution, the States meant to surrender the authority of preserving order, of enforcing moral duties, and restraining vice, within their own territory? And this is the present case, that of Cohen being under the antient and general law of gaming. Can any good be effected, by taking from the States the moral rule of their citizens, and subordinating it to the general authority, or to one of their corporations, which may justify forcing the meaning of words, hunting after possible constructions, and hanging inference on inference, from heaven to earth, like Jacob's ladder? Such an intention was impossible; and such a licentiousness of construction and inference, if exercised by both governments, as may be done with equal right, would equally authorise both to claim all powers, general and particular, and break up the foundations of the Union. Laws are made for men of ordinary understanding, and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties, which may make any thing mean every thing or nothing, at pleasure. It should be left to the sophisms of advocates, whose trade it is, to prove that a defendant is a plaintiff, though dragged into court, *torto collo*, like Buonaparte's volunteers, into the field in chains; or that a power has been given, because it ought to have been given, *et alia talia*. The States supposed, that by their tenth amendment, they had secured themselves against constructive powers. They were not lessoned yet by Cohen's case, nor aware of the slipperiness of the eels of the law. I ask for no straining of words against the General Government, nor yet against the States. I believe the States can best govern our home concerns, and the General Government our foreign ones. I wish, therefore, to see maintained that wholesome distribution of powers established by the constitution for the limitation of both; and never to see all offices transferred to Washington, where, further withdrawn from the eyes of the people, they may more secretly be bought and sold as at market.

But the Chief Justice says, 'there must be an ultimate arbiter somewhere.' True, there must; but does that prove it is either party? The ultimate arbiter is the people of the Union, assembled by their deputies in convention, at the call of Congress, or of two-thirds of the States. Let them decide to which they mean to give an authority claimed by two of their organs. And it has been the peculiar wisdom and felicity of our constitution, to have provided this peaceable appeal, where that of other nations is at once to force.

I rejoice in the example you set of *seriatim* opinions. I have heard it often noticed, and always with high approbation. Some of your brethren will be encouraged to follow it occasionally, and in time it may be felt by all as a duty, and the sound practice of the primitive court be again restored. Why should not every judge be asked his opinion, and give it from the bench, if only by yea or nay? Besides ascertaining the fact of his opinion, which the public have a right to know, in order to judge whether it is impeachable or not, it would shew whether the opinions were unanimous or not, and thus settle more exactly the weight of their authority.

The close of my second sheet warns me that it is time now to relieve you from this letter of unmerciful length. Indeed, I wonder how I have accomplished it, with two crippled wrists, the one scarcely able to move my pen, the other to hold my paper. But I am hurried sometimes beyond the sense of pain, when unbosoming myself to friends who harmonise with me in principle. You and I may differ occasionally in details of minor consequence, as no two minds, more than two faces, are the same in every feature. But our general objects are the same; to preserve the republican form and principles of our constitution, and cleave to the salutary distribution of powers which that has established. These are the two sheet-anchors of our Union. If driven from either, we shall be in danger of foundering. To my prayers for its safety and perpetuity, I add those for the continuation of your health, happiness, and usefulness to your country.

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, August 30, 1823.

DEAR SIR,

I received the inclosed letters from the President, with a request, that after perusal I would forward them to you, for perusal by yourself also, and to be returned then to him.

You have doubtless seen Timothy Pickering's fourth of July observations on the Declaration of Independence. If his principles and prejudices, personal and political, gave us no reason to doubt whether he had truly quoted the information he alleges to have received from Mr. Adams, I should then say, that in some of the particulars Mr. Adams's memory has led him into unquestionable error. At the age of eighty-eight, and forty-seven years after the transactions of Independence, this is not wonderful. Nor should I, at the age of eighty, on the small advantage of that difference only, venture to oppose my memory to his, were it not supported by written notes, taken by myself at the moment and on the spot. He says, 'the committee of five, to wit, Doctor Franklin, Sherman, Livingston, and ourselves, met, discussed the subject, and then appointed him and myself to make the draught; that we, as a sub-committee, met, and after the urgencies of each on the other, I consented to undertake the task; that the draught being made, we, the sub-committee, met, and conned the paper over, and he does not remember that he made or suggested a single alteration.' Now these details are quite incorrect. The committee of five met; no such thing as a sub-committee was proposed, but they unanimously pressed on myself alone to undertake the draught. I consented; I drew it: but before I reported it to the committee, I communicated it *separately* to Doctor Franklin and Mr. Adams, requesting their corrections, because they were the two members of whose judgments and amendments I wished most to have the benefit, before presenting it to the committee: and you have seen the original paper now in my hands, with the corrections of Doctor Franklin and Mr. Adams interlined, in their own handwritings. Their alterations were two or three only, and merely verbal. I then wrote a fair copy, reported it to the committee, and from them, unaltered, to Congress. This personal communication and consultation with Mr. Adams, he has misremembered into the actings of a sub-committee. Pickering's observations, and Mr. Adams's in addition, 'that it contained no new ideas, that it is a common place compilation, its sentiments hacknied in Congress for two years before, and its essence contained in Otis's pamphlet,' may all be true. Of that I am not to be the judge. Richard Henry Lee charged it as copied from Locke's treatise on government. Otis's pamphlet I never saw, and whether I had gathered my ideas from reading or reflection I do not know. I know only that I turned to neither book nor pamphlet while writing it. I did not consider it as any part of my charge to invent new ideas altogether, and to offer no sentiment which had ever been expressed before. Had Mr. Adams been so restrained, Congress would have lost the benefit of his bold and impressive advocations of the rights of Revolution. For no man's confident and fervid addresses, more than Mr. Adams's, encouraged and supported us through the difficulties surrounding us, which, like the ceaseless action of gravity, weighed on us by night and by day. Yet, on the same ground, we may ask what of these elevated thoughts was new, or can be affirmed never before to have entered the conceptions of man?

Whether, also, the sentiments of Independence, and the reasons for declaring it, which make so great a portion of the instrument, had been hacknied in Congress for two years before the 4th of July, '76, or this dictum also of Mr. Adams be another slip of memory, let history say. This, however, I will say for Mr. Adams, that he supported the Declaration with zeal and ability, fighting fearlessly for every word of it. As to myself, I thought it a duty to be, on that occasion, a passive auditor of the opinions of others, more impartial judges than I could be, of its merits or demerits. During the debate I was sitting by Dr. Franklin, and he observed that I was writhing a little under the acrimonious criticisms on some of its parts; and it was on that occasion, that, by way of comfort, he told me the story of John Thomson, the hatter, and his new sign.

Timothy thinks the instrument the better for having a fourth of it expunged. He would have thought it still better, had the other three-fourths gone out also, all but the single sentiment (the only one he approves), which recommends friendship to his dear England, whenever she is willing to be at peace with us. His insinuations are, that although 'the high tone of the instrument was in unison with the warm feelings of the times, this sentiment of habitual friendship to England should never be forgotten, and that the duties it enjoins should *especially* be borne in mind on every celebration of this anniversary.' In other words, that the Declaration, as being a libel on the government of England, composed in times of passion, should now be buried in utter oblivion, to spare the feelings of our English friends and Angloman fellow citizens. But it is not to wound them that we wish to keep it in mind; but to cherish the principles of the instrument in the bosoms of our own citizens: and it is a heavenly comfort to see that these principles are yet so strongly felt, as to render a circumstance so trifling as this little lapse of memory of Mr. Adams's, worthy of being solemnly announced and supported at an anniversary assemblage of the nation on its birthday. In opposition, however, to Mr. Pickering, I pray God that these principles may be eternal, and close the prayer with my affectionate wishes for yourself of long life, health, and happiness.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, September 4, 1823.

DEAR SIR,

Your letter of August the 15th was received in due time, and with the welcome of every thing which comes from you. With its opinions on the difficulties of revolutions from despotism to freedom, I very much concur. The generation which commences a revolution rarely completes it. Habituated from their infancy to passive submission of body and mind to their kings and priests, they are not qualified when called on to think and provide for themselves; and their inexperience, their ignorance, and bigotry, make them instruments often, in the hands of the Buonapartes and Iturbides, to defeat their own rights and purposes. This is the present situation of Europe and Spanish America. But it is not desperate. The light which has been shed on mankind by the art of printing, has eminently changed the condition of the world. As yet, that light has dawned on the middling classes only of the men in Europe. The kings and the rabble, of equal ignorance, have not yet received its rays; but it continues to spread, and while printing is preserved, it can no more recede than the Sun return on his course. A first attempt to recover the right of self-government may fail, so may a second, a third, &c. But as a younger and more instructed race comes on, the sentiment becomes more and more intuitive, and a fourth, a fifth, or some subsequent one of the ever renewed attempts will ultimately succeed. In France, the first effort was defeated by Robespierre, the second by Buonaparte, the third by Louis XVIII., and his holy allies; another is yet to come, and all Europe, Russia excepted, has caught the spirit; and all will attain representative government, more or less perfect. This is now well understood to be a necessary check on kings, whom they will probably think it more prudent to chain and tame, than to exterminate. To attain all this, however, rivers of blood must yet flow, and years of desolation pass over; yet the object is worth rivers of blood, and years of desolation. For what inheritance so valuable, can man leave to his posterity? The spirit of the Spaniard, and his deadly and eternal hatred to a Frenchman, give me much confidence that he will never submit, but finally defeat this atrocious violation of the laws of God and man, under which he is suffering; and the wisdom and firmness of the Cortes, afford reasonable hope, that that nation will settle down in a temperate representative government, with an executive properly subordinated to that. Portugal, Italy, Prussia, Germany, Greece, will follow suit. You and I shall look down from another world on these glorious achievements to man, which will add to the joys even of heaven.

I observe your toast of Mr. Jay on the 4th of July, wherein you say that the omission of his signature to the Declaration of Independence was by *accident*. Our impressions as to this fact being different, I shall be glad to have mine corrected, if wrong. Jay, you know, had been in constant opposition to our labouring majority. Our estimate at the time was, that he, Dickinson, and Johnson of Maryland, by their ingenuity, perseverance, and partiality to our English connection, had constantly kept us a year behind where we ought to have been in our preparations and proceedings. From about the date of the Virginia instructions of May the 15th, 1776, to declare independence, Mr. Jay absented himself from Congress, and never came there again until December, 1778. Of course, he had no part in the discussions or decision of that question. The instructions to their Delegates by the convention of New York, then sitting to sign the Declaration, were presented to Congress on the 15th of July only, and on that day the journals shew the absence of Mr. Jay, by a letter received from him, as they had done, as early as the 29th of May, by another letter. And I think he had been omitted by the convention on a new election of Delegates, when they changed their instructions. Of this last fact, however, having no evidence but an antient impression, I shall not affirm it. But whether so or not, no agency of *accident* appears in the case. This error of fact, however, whether yours or mine, is of little consequence to the public. But truth being as cheap as error, it is as well to rectify it for our own satisfaction.

I have had a fever of about three weeks, during the last and preceding month, from which I am entirely recovered except as to strength.

Ever affectionately yours.

TH. JEFFERSON.

TO JOHN ADAMS.

Monticello, October 12, 1823.

DEAR SIR,

I do not write with the ease which your letter of September the 18th supposes. Crippled wrists and fingers make writing slow and laborious. But while writing to you, I lose the sense of these things in the recollection of antient times, when youth and health made happiness out of every thing. I forget for a while the hoary winter of age, when we can think of nothing but how to keep ourselves warm, and how to get rid of our heavy hours until the friendly hand of death shall rid us of all at once. Against this *tedium vitæ*, however, I am fortunately mounted on a hobby, which, indeed, I should have better managed some thirty or forty years ago: but whose easy amble is still sufficient to give exercise and amusement to an octogenary rider. This is the establishment of a University, on a scale more comprehensive, and in a country more healthy and central than our old William and Mary, which these obstacles have long kept in a state of languor and inefficiency. But the tardiness with which such works proceed, may render it doubtful whether I shall live to see it go into action.

Putting aside these things, however, for the present, I write this letter as due to a friendship coeval with our government, and now attempted to be poisoned, when too late in life to be replaced by new affections. I had for some time observed in the public papers, dark hints and mysterious inuendoes of a correspondence of yours with a friend, to whom you had opened your bosom without reserve, and which was to be made public by that friend or his representative. And now it is said to be actually published. It has not yet reached us, but extracts have been given, and such as seemed most likely to draw a curtain of separation between you and myself. Were there no other motive than that of indignation against the author of this outrage on private confidence, whose shaft seems to have been aimed at yourself more particularly, this would make it the duty of every honourable mind to disappoint that aim, by opposing to its impression a seven-fold shield of apathy and insensibility. With me, however, no such armour is needed. The circumstances of the times in which we have happened to live, and the partiality of our friends at a particular period, placed us in a state of apparent opposition, which some might suppose to be personal also: and there might not be wanting those who wished to make it so, by filling our ears with malignant falsehoods, by dressing up hideous phantoms of their own creation, presenting them to you under my name, to me under yours, and endeavouring to instil into our minds things concerning each other the most destitute of truth. And if there had been, at any time, a moment when we were off our guard, and in a temper to let the whispers of these people make us forget what we had known of each other for so many years, and years of so much trial, yet all men who have attended to the workings of the human mind, who have seen the false colours under which passion sometimes dresses the actions and motives of others, have seen also those passions subsiding with time and reflection, dissipating like mists before the rising sun, and restoring to us the sight of all things in their true shape and colours. It would be strange, indeed, if, at our years, we were to go an age back to hunt up imaginary or forgotten facts, to disturb the repose of affections so sweetening to the evening of our lives. Be assured, my dear Sir, that I am incapable of receiving the slightest impression from the effort now made to plant thorns on the pillow of age, worth, and wisdom, and to sow tares between friends who have been such for near half a century. Beseeching you, then, not to suffer your mind to be disquieted by this wicked attempt to poison its peace, and praying you to throw it by among the things which have never happened, I add sincere assurances of my unabated and constant attachment, friendship and respect.

TH. JEFFERSON.

TO THE PRESIDENT.

Monticello, October 24, 1823.

DEAR SIR,

The question presented by the letters you have sent me, is the most momentous which has ever been offered to my contemplation since that of Independence. That made us a nation, this sets our compass, and points the course which we are to steer through the ocean of time opening on us. And never could we embark on it under circumstances more auspicious. Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe. Our second, never to suffer Europe to intermeddle with cis-Atlantic affairs. America, North and South, has a set of interests distinct from those of

Europe, and peculiarly her own. She should therefore have a system of her own, separate and apart from that of Europe. While the last is labouring to become the domicile of despotism, our endeavour should surely be, to make our hemisphere that of freedom. One nation, most of all, could disturb us in this pursuit; she now offers to lead, aid, and accompany us in it. By acceding to her proposition, we detach her from the band of despots, bring her mighty weight into the scale of free government, and emancipate a continent at one stroke, which might otherwise linger long in doubt and difficulty. Great Britain is the nation which can do us the most harm of any one, or all on earth; and with her on our side we need not fear the whole world. With her then, we should most sedulously cherish a cordial friendship; and nothing would tend more to knit our affections than to be fighting once more, side by side, in the same cause. Not that I would purchase even her amity at the price of taking part in her wars. But the war in which the present proposition might engage us, should that be its consequence, is not her war, but ours. Its object is to introduce and establish the American system, of keeping out of our land all foreign powers, of never permitting those of Europe to intermeddle with the affairs of our nations. It is to maintain our own principle, not to depart from it. And if, to facilitate this, we can effect a division in the body of the European powers, and draw over to our side its most powerful member, surely we should do it. But I am clearly of Mr. Canning's opinion, that it will prevent instead of provoking war. With Great Britain withdrawn from their scale, and shifted into that of our two continents, all Europe combined would not undertake such a war. For how would they propose to get at either enemy without superior fleets? Nor is the occasion to be slighted which this proposition offers, of declaring our protest against the atrocious violations of the rights of nations, by the interference of any one in the internal affairs of another, so flagitiously begun by Buonaparte, and now continued by the equally lawless Alliance, calling itself Holy.

But we have first to ask ourselves a question. Do we wish to acquire to our own confederacy any one or more of the Spanish provinces? I candidly confess, that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The control which, with Florida Point, this island would give us over the Gulf of Mexico, and the countries and isthmus bordering on it, as well as all those whose waters flow into it, would fill up the measure of our political well-being. Yet, as I am sensible that this can never be obtained, even with her own consent, but by war—and its independence, which is our second interest, (and especially its independence of England,) can be secured without it, I have no hesitation in abandoning my first wish to future chances, and accepting its independence, with peace and the friendship of England, rather than its association at the expense of war and her enmity.

I could honestly, therefore, join in the declaration proposed, that we aim not at the acquisition of any of those possessions, that we will not stand in the way of any amicable arrangement between them and the mother country; but that we will oppose, with all our means, the forcible interposition of any other power, as auxiliary, stipendiary, or under any other form or pretext, and most especially, their transfer to any power by conquest, cession, or acquisition in any other way. I should think it, therefore, advisable, that the Executive should encourage the British government to a continuance in the dispositions expressed in these letters, by an assurance of his concurrence with them as far as his authority goes; and that as it may lead to war, the declaration of which requires an act of Congress, the case shall be laid before them for consideration at their first meeting, and under the reasonable aspect in which it is seen by himself.

I have been so long weaned from political subjects, and have so long ceased to take any interest in them, that I am sensible I am not qualified to offer opinions on them worthy of any attention. But the question now proposed involves consequences so lasting, and effects so decisive of our future destinies, as to rekindle all the interest I have heretofore felt on such occasions, and to induce me to the hazard of opinions, which will prove only my wish to contribute still my mite towards any thing which may be useful to our country. And praying you to accept it at only what it is worth, I add the assurance of my constant and affectionate friendship and respect.

TH. JEFFERSON.

TO THE MARQUIS DE LA FAYETTE.

Monticello, November 4, 1823.

My Dear Friend,

Two dislocated wrists and crippled fingers have rendered writing so slow and laborious, as to oblige me to withdraw from nearly all correspondence: not, however, from yours, while I can make a stroke with a pen. We have gone through too many trying scenes together, to forget the sympathies and affections they nourished.

Your trials have indeed been long and severe. When they will end, is yet unknown, but where they will end, cannot be doubted. Alliances, Holy or Hellish, may be formed, and retard the epoch of deliverance, may swell the rivers of blood which are yet to flow; but their own will close the scene, and leave to mankind the right of self-government. I trust that Spain will prove, that a nation cannot be conquered which determines not to be so, and that her success will be the turning of the tide of liberty, no more to be arrested by human efforts. Whether the state of society in Europe can bear a republican government, I doubted, you know, when with you, and I do now. A hereditary chief, strictly limited, the right of war vested in the legislative body, a rigid economy of the public contributions, and absolute interdiction of all useless expenses, will go far towards keeping the government honest and unoppressive. But the only security of all, is in a free press. The force of public opinion cannot be resisted, when permitted freely to be expressed. The agitation it produces must be submitted to. It is necessary to keep the waters pure.

We are all, for example, in agitation even in our peaceful country. For in peace as well as in war, the mind must be kept in motion. Who is to be the next President, is the topic here of every conversation. My opinion on that subject is what I expressed to you in my last letter. The question will be ultimately reduced to the northernmost and southernmost candidates. The former will get every federal vote in the Union, and many republicans; the latter, all those denominated *of the old school*; for you are not to believe that these two parties are amalgamated, that the lion and the lamb are lying down together. The Hartford convention, the victory of Orleans, the peace of Ghent, prostrated the name of federalism. Its votaries abandoned it through shame and mortification; and now call themselves republicans. But the name alone is changed, the principles are the same. For in truth, the parties of Whig and Tory are those of nature. They exist in all countries, whether called by these names, or by those of Aristocrats and Democrats, Coté Droite and Coté Gauche, Ultras and Radicals, Serviles and Liberals. The sickly, weakly, timid man, fears the people, and is a Tory by nature. The healthy, strong, and bold, cherishes them, and is formed a Whig by nature. On the eclipse of federalism with us, although not its extinction, its leaders got up the Missouri question, under the false front of lessening the measure of slavery, but with the real view of producing a geographical division of parties, which might ensure them the next President. The people of the north went blindfold into the snare, followed their leaders for a while with a zeal truly moral and laudable, until they became sensible that they were injuring instead of aiding the real interests of the slaves, that they had been used merely as tools for electioneering purposes; and that trick of hypocrisy then fell as quickly as it had been got up. To that is now succeeding a distinction, which, like that of republican and federal, or Whig and Tory, being equally intermixed through every State, threatens none of those geographical schisms which go immediately to a separation. The line of division now, is the preservation of State rights as reserved in the constitution, or, by strained constructions of that instrument, to merge all into a consolidated government. The Tories are for strengthening the executive and General Government; the Whigs cherish the representative branch, and the rights reserved by the States, as the bulwark against consolidation, which must immediately generate monarchy. And although this division excites, as yet, no warmth, yet it exists, is well understood, and will be a principle of voting at the ensuing election, with the reflecting men of both parties.

I thank you much for the two books you were so kind as to send me by Mr. Gallatin. Miss Wright had before favoured me with the first edition of her American work: but her 'Few days in Athens,' was entirely new, and has been a treat to me of the highest order. The matter and manner of the dialogue is strictly antient; the principles of the sects are beautifully and candidly explained and contrasted; and the scenery and portraiture of the interlocutors are of a higher finish than any thing in that line left us by the antients; and, like Ossian, if not antient, it is equal to the best morsels of antiquity. I augur from this instance, that Herculaneum is likely to furnish better specimens of modern than of antient genius; and may we not hope more from the same pen?

After much sickness, and the accident of a broken and disabled arm, I am again in tolerable health, but extremely debilitated, so as to be scarcely able to walk into my garden. The hebitude of age, too, and extinguishment of interest in the things around me, are weaning me from them, and dispose me with cheerfulness to resign them to the existing generation, satisfied that the daily advance of science will enable them to adminster the commonwealth with increased wisdom. You have still many valuable years to give to your country, and with my prayers that they may be years of health and happiness, and especially that they may see the establishment of the principles of government which you have cherished through life, accept the assurance of my affectionate and constant friendship and respect.

TH. JEFFERSON.

TO JOSEPH C. CABELL.

Monticello, February 3, 1824.

DEAR SIR,

I am favoured with your two letters of January the 26th and 29th, and am glad that yourself and the friends of the University are so well satisfied, that the provisos amendatory of the University Act are mere nullities. I had not been able to put out of my head the Algebraical equation, which was among the first of my college lessons, that $a-a=0$. Yet I cheerfully arrange myself to your opinions. I did not suppose, nor do I now suppose it possible, that both Houses of the legislature should ever consent, for an additional fifteen thousand dollars of revenue, to set all the Professors and students of the University adrift: and if foreigners will have the same confidence which we have in our legislature, no harm will have been done by the provisos.

You recollect that we had agreed that the Visitors who are of the legislature should fix on a certain day of meeting, after the rising of the Assembly, to put into immediate motion the measures which this act was expected to call for. You will of course remind the Governor that a re-appointment of Visitors is to be made on the day following Sunday, the 29th of this month; and as he is to appoint the day of their first meeting, it would be well to recommend to him that which our brethren there shall fix on. It may be designated by the Governor as the third, fourth, &c., day after the rising of the legislature, which will give it certainty enough.

You ask what sum would be desirable for the purchase of books and apparatus? Certainly the largest you can obtain. Forty or fifty thousand dollars would enable us to purchase the most essential books of text and reference for the schools, and such an apparatus for Mathematics, Astronomy, and Chemistry, as may enable us to set out with tolerable competence, if we can, through the banks and otherwise, anticipate the whole sum at once.

I remark what you say, on the subject of committing ourselves to any one for the Law appointments. Your caution is perfectly just. I hope, and am certain, that this will be the standing law of discretion and duty with every member of our board, in this and all cases. You know we have all, from the beginning, considered the high qualifications of our Professors as the only means by which we could give to our institution splendour and pre-eminence over all its sister seminaries. The only question, therefore, we can ever ask ourselves, as to any candidate, will be, is he the most highly qualified? The college of Philadelphia has lost its character of primacy by indulging in motives of favouritism and nepotism, and by conferring the appointments as if the professorships were entrusted to them as provisions for their friends; and even that of Edinburgh, you know, is also much lowered from the same cause. We are next to observe, that a man is not qualified for a Professor, knowing nothing but merely his own profession. He should be otherwise well educated as to the sciences generally; able to converse understandingly with the scientific men with whom he is associated, and to assist in the councils of the Faculty on any subject of science on which they may have occasion to deliberate. Without this, he will incur their contempt, and bring disreputation on the institution. With respect to the professorship you mention, I scarcely know any of our judges personally; but I will name, for for example, the late Judge Roane, who, I believe, was generally admitted to be among the ablest of them. His knowledge was confined to the common law chiefly, which does not constitute one half of the qualifications of a really learned lawyer, much less that of a Professor of Law for an University; and as to any other branches of science, he must have stood mute in the presence of his literary associates, or of any learned strangers or others visiting the University.

Would this constitute the splendid stand we propose to take?

In the course of the trusts I have exercised through life with powers of appointment, I can say with truth, and with unspeakable comfort, that I never did appoint a relation to office, and that merely because I never saw the case in which some one did not offer, or occur, better qualified; and I have the most unlimited confidence, that, in the appointment of Professors to our nursling institution, every individual of my associates will look with a single eye to the sublimation of its character, and adopt, as our sacred motto, '*detur digniori*.' In this way it will honour us, and bless our country.

I perceive that I have permitted my reflections to run into generalities beyond the scope of the particular intimation in your letter. I will let them go, however, as a general confession of faith, not belonging merely to the present case.

Name me affectionately to our brethren with you, and be assured yourself of my constant friendship and respect.

TH. JEFFERSON.

TO JARED SPARKS.

Monticello, February 4, 1824.

DEAR SIR,

I duly received your favour of the 13th, and with it the last number of the North American Review. This has anticipated the one I should receive in course, but have not yet received, under my subscription to the new series. The article on the African colonization of the people of colour, to which you invite my attention, I have read with great consideration. It is, indeed, a fine one, and will do much good. I learn from it more, too, than I had before known, of the degree of success and promise of that colony.

In the disposition of these unfortunate people, there are two rational objects to be distinctly kept in view. 1. The establishment of a colony on the coast of Africa, which may introduce among the aborigines the arts of cultivated life, and the blessings of civilization and science. By doing this, we may make to them some retribution for the long course of injuries we have been committing on their population; and, considering that these blessings will descend to the '*nati natorum, et qui nascentur ab illis*,' we shall, in the long run, have rendered them, perhaps, more good than evil. To fulfil this object, the colony of Sierra Leone promises well, and that of Mesurado adds to our prospect of success. Under this view, the Colonization Society is to be considered as a missionary society, having in view, however, objects more humane, and more justifiable, and less aggressive on the peace of other nations, than the others of that appellation.

The second object, and the most interesting to us, as coming home to our physical and moral characters, to our happiness and safety, is to provide an asylum to which we can, by degrees, send the whole of that population from among us, and establish them under our patronage and protection, as a separate, free, and independent people, in some country and climate friendly to human life and happiness. That any place on the coast of Africa should answer the latter purpose, I have ever deemed entirely impossible. And without repeating the other arguments which have been urged by others, I will appeal to figures only, which admit no controversy. I shall speak in round numbers, not absolutely accurate, yet not so wide from truth as to vary the result materially. There are in the United States a million and a half of people of colour in slavery. To send off the whole of these at once, nobody conceives to be practicable for us, or expedient for them. Let us take twenty-five years for its accomplishment, within which time they will be doubled. Their estimated value as property, in the first place, (for actual property has been lawfully vested in that form, and who can lawfully take it from the possessors?) at an average of two hundred dollars each, young and old, would amount to six hundred millions of dollars, which must be paid or lost by somebody. To this, add the cost of their transportation by land and sea to Mesurado, a year's provision of food and clothing, implements of husbandry, and of their trades, which will amount to three hundred millions more, making thirty-six millions of dollars a year for twenty-five years, with insurance of peace all that time, and it is impossible to look at the question a second time. I am aware that at the end of about sixteen years, a gradual detraction from this sum will commence, from the gradual diminution of breeders, and go on during the remaining nine years. Calculate this deduction, and it is still impossible to look at the enterprize a second time. I do not say this to induce an inference that the getting rid of them is for ever impossible. For that is neither my opinion nor my hope. But only that it cannot be done in this way. There is, I think, a way in which it can be done; that is, by emancipating the after born, leaving them, on due compensation, with their mothers, until their services are worth their maintenance, and then putting them to industrious occupations, until a proper age for deportation. This was the result of my reflections on the subject five and forty years ago, and I have never yet been able to conceive any other practicable plan. It was sketched in the Notes on Virginia, under the fourteenth query. The estimated value of the new-born infant is so low (say twelve dollars and fifty cents), that it would probably be yielded by the owner gratis, and would thus reduce the six hundred millions of dollars, the first head of expense, to thirty-seven millions and a half: leaving only the expenses of nourishment while with the mother, and of transportation. And from what fund are these expenses to be furnished? Why not from that of the lands which have been ceded by the very States now needing this relief? And ceded on no consideration, for the most part, but that of the general good of the whole. These cessions already constitute one fourth of the States of the Union. It may be said that these lands have been sold; are now the property of the citizens composing those States; and the money long ago received and expended. But an equivalent of lands in the territories since acquired, may be appropriated to that object, or so much at least, as may be sufficient; and the object, although more important to the slave States, is highly so to the others also, if they were serious in their arguments on the Missouri question. The slave States, too, if more interested, would also contribute more by their gratuitous liberation, thus taking on themselves alone the first and heaviest item of expense.

In the plan sketched in the Notes on Virginia, no particular place of asylum was specified; because it was thought possible, that in the revolutionary state of America, then commenced, events might open to us some one within practicable distance. This has now happened. St. Domingo has become independent, and with a population of that colour only; and if the public papers are to be credited, their Chief offers to pay their passage, to receive them as free citizens, and to provide them employment. This leaves, then, for the general confederacy no expense but of nurture with the mother a few years, and would call, of course, for a very moderate appropriation of the vacant lands. Suppose the whole annual increase to be of sixty thousand effective births, fifty vessels, of four hundred tons burthen each, constantly employed in that short run, would carry off the increase of every year, and the old stock would die off in the ordinary course of nature, lessening from the commencement until its final disappearance

In this way no violation of private right is proposed. Voluntary surrenders would probably come in as fast as the means to be provided for their care would be competent to it. Looking at my own State only, and I presume not to speak for the others, I verily believe that this surrender of property would not amount to more, annually, than half our present direct taxes, to be continued fully about twenty or twenty-five years, and then gradually diminishing for as many more, until their final extinction; and even this half tax would not be paid in cash, but by the delivery of an object which they have never yet known or counted as part of their property: and those not possessing the object will be called on for nothing. I do not go into all the details of the burthens and benefits of this operation. And who could estimate its blessed effects? I leave this to those who will live to see their accomplishment, and to enjoy a beatitude forbidden to my age. But I leave it with this admonition, to rise and be doing. A million and a half are within their control; but six millions (which a majority of those now living will see them attain,) and one million of these fighting men will say 'we will not go.'

I am aware that this subject involves some constitutional scruples. But a liberal construction, justified by the object, may go far, and an amendment of the constitution, the whole length necessary. The separation of infants from their mothers, too, would produce some scruples of humanity. But this would be straining at a gnat, and swallowing a camel.

I am much pleased to see that you have taken up the subject of the duty on imported books. I hope a crusade will be kept up against it, until those in power shall become sensible of this stain on our legislation, and shall wipe it from their code, and from the remembrance of man, if possible.

I salute you with assurances of high respect and esteem.

TH. JEFFERSON.

TO EDWARD LIVINGSTON.

Monticello, April 4, 1824.

DEAR SIR,

It was with great pleasure I learned that the good people of New Orleans had restored you again to the councils of our country. I did not doubt the aid it would bring to the remains of our old school in Congress, in which your early labours had been so useful. You will find, I suppose, on revisiting our maritime States, the names of things more changed than the things themselves; that though our old opponents have given up their appellation, they have not, in assuming ours, abandoned their views, and that they are as strong nearly as they ever were. These cares, however, are no longer mine. I resign myself cheerfully to the managers of the ship, and the more contentedly, as I am near the end of my voyage. I have learned to be less confident in the conclusions of human reason, and give more credit to the honesty of contrary opinions. The radical idea of the character of the constitution of our government, which I have adopted as a key in cases of doubtful construction, is, that the whole field of government is divided into two departments, domestic and foreign (the States in their mutual relations being of the latter); that the former department is reserved exclusively to the respective States within their own limits, and the latter assigned to a separate set of functionaries, constituting what may be called the foreign branch, which, instead of a federal basis, is established as a distinct government *quoad hoc*, acting as the domestic branch does on the citizens directly and coercively; that these departments have distinct directories, co-ordinate, and equally independent and supreme, each within its own sphere of action. Whenever a doubt arises to which of these branches a power belongs, I try it by this test. I recollect no case where a question simply between citizens of the same State has been transferred to the foreign department, except that of inhibiting tenders but of metallic money, and *ex post facto* legislation. The causes of these singularities are well remembered.

I thank you for the copy of your speech on the question of national improvement, which I have read with great pleasure, and recognize in it those powers of reasoning and persuasion of which I had formerly seen from you so many proofs. Yet, in candour, I must say it has not removed, in my mind, all the difficulties of the question. And I should really be alarmed at a difference of opinion with you, and suspicious of my own, were it not that I have, as companions in sentiment, the Madisons, the Monroes, the Randolphs, the Macons, all good men and true, of primitive principles. In one sentiment of the speech I particularly concur. 'If we have a doubt relative to any power, we ought not to exercise it.' When we consider the extensive and deep-seated opposition to this assumption, the conviction entertained by so many, that this deduction of powers by elaborate construction prostrates the rights reserved to the States, the difficulties with which it will rub along in the course of its exercise; that changes of majorities will be changing the system backwards and forwards, so that no undertaking under it will be safe; that there is not a State in the Union which would not give the power willingly, by way of amendment, with some little guard, perhaps, against abuse; I cannot but think it would be the wisest course to ask an express grant of the power. A government held together by the bands of reason only, requires much compromise of opinion; that things even salutary should not be crammed down the throats of dissenting brethren, especially when they may be put into a form to be willingly swallowed, and that a great deal of indulgence is necessary to strengthen habits of harmony and fraternity. In such a case, it seems to me it would be safer and wiser to ask an express grant of the power. This would render its exercise smooth and acceptable to all, and insure to it all the facilities which the States could contribute, to prevent that kind of abuse which all will fear, because all know it is so much practised in public bodies, I mean the bartering of votes. It would reconcile every one, if limited by the proviso, that the federal proportion of each State should be expended within the State. With this single security against partiality and corrupt bargaining, I suppose there is not a State, perhaps not a man in the Union, who would not consent to add this to the powers of the General Government. But age has weaned me from questions of this kind. My delight is now in the passive occupation of reading; and it is with great reluctance I permit my mind ever to encounter subjects of difficult investigation. You have many years yet to come of vigorous activity, and I confidently trust they will be employed in cherishing every measure which may foster our brotherly union, and perpetuate a constitution of government destined to be the primitive and precious model of what is to change the condition of man over the globe. With this confidence, equally strong in your powers and purposes, I pray you to accept the assurance of my cordial esteem and respect.

TH. JEFFERSON.

TO MAJOR JOHN CARTWRIGHT.

Monticello, June 5, 1824.

DEAR AND VENERABLE SIR,

I am much indebted for your kind letter of February the 29th, and for your valuable volume on the English constitution. I have read this with pleasure and much approbation, and think it has deduced the constitution of the English nation from its rightful root, the Anglo-Saxon. It is really wonderful, that so many able and learned men should have failed in their attempts to define it with correctness. No wonder, then, that Paine, who thought more than he read, should have credited the great authorities who have declared, that the will of parliament is the constitution of England. So Marbois, before the French revolution, observed to me, that the Almanac Royal was the constitution of France. Your derivation of it from the Anglo-Saxons, seems to be made on legitimate principles. Having driven out the former inhabitants of that part of the island called England, they became aborigines as to you, and your lineal ancestors. They doubtless had a constitution; and although they have not left it in a written formula, to the precise text of which you may always appeal, yet they have left fragments of their history and laws, from which it may be inferred with considerable certainty. Whatever their history and laws shew to have been practised with approbation, we may presume was permitted by their constitution; whatever was not so practised, was not permitted. And although this constitution was violated and set at naught by Norman force, yet force cannot change right. A perpetual claim was kept up by the nation, by their perpetual demand of a restoration of their Saxon laws; which shews they were never relinquished by the will of the nation. In the pullings and haulings for these antient rights, between the nation, and its kings of the races of Plantagenets, Tudors, and Stuarts, there was sometimes gain, and sometimes loss, until the final reconquest of their rights from the Stuarts. The destitution and expulsion of this race broke the thread of pretended inheritance, extinguished all regal usurpations, and the nation re-entered into all its rights; and although in their bill of rights they specifically reclaimed some only, yet the omission of the others was no renunciation of the right to assume their exercise also, whenever occasion should occur. The new king received no rights or powers, but those expressly granted to him. It has ever appeared to me, that the difference between the whig and the tory of England is, that the whig deduces his rights from the Anglo-Saxon source, and the tory from the Norman. And Hume, the great apostle of toryism, says, in so many words, note AA to chapter 42, that, in the reign of the Stuarts, 'it was the people who encroached upon the sovereign, not the sovereign who attempted, as is pretended, to usurp upon the people.' This supposes the Norman usurpations to be rights in his successors. And again, C, 159, 'the commons established a principle, which is noble in itself, and seems specious, but is belied by all history and experience, *that the people are the origin of all just power.*' And where else will this degenerate son of science, this traitor to his fellow men, find the origin of *just* powers, if not in the majority of the society? Will it be in the minority? Or in an individual of that minority?

Our revolution commenced on more favourable ground. It presented us an album on which we were free to write what we pleased. We had no occasion to search into musty records, to hunt up royal parchments, or to investigate the law and institutions of a semi-barbarous ancestry. We appealed t those of nature, and found them engraved on our hearts. Ye we did not avail ourselves of all the advantages of our position We had never been permitted to exercise self-government When forced to assume it, we were novices in its science. It principles and forms had entered little into our former education. We established, however, some, although not all its important principles. The constitutions of most of our State assert, that all power is inherent in the people; that they ma exercise it by themselves, in all cases to which they thin themselves competent (as in electing their functionaries executive and legislative, and deciding by a jury of themselves in all judiciary cases in which any fact is involved), or they ma act by representatives, freely and equally chosen; that it is thei right and duty to be at all times armed; that they are entitle to freedom of person, freedom of religion, freedom of property, and freedom of the press. In the structure of ou legislatures we think experience has proved the benefit of subjecting questions to two separate bodies of deliberants; but i constituting these, natural right has been mistaken, som making one of these bodies, and some both, the representativ of property instead of persons; whereas, the double deliberation might be as well obtained without any violation of tru principle, either by requiring a greater age in one of th bodies, or by electing a proper number of representatives of persons, dividing them by lots into two chambers, and renewing the division at frequent intervals, in order to break up all cabals. Virginia, of which I am myself a native and resident, was not only the first of the States, but I believe I may say the first of the nations of the earth, which assembled its wise men peaceably together to form a fundamental constitution, to commit it to writing, and place it among their archives, where every one should be free to appeal to its text. But this act was very imperfect. The other States, as they proceeded successively to the same work, made successive improvements; and several of them, still further corrected by experience, have, by conventions, still further amended their first forms. My own State has gone on so far with its *première ébauche;* but it is now proposing to call a convention for amendment. Among other improvements, I hope they will adopt the subdivision of our counties into wards. The former may be estimated at an average of twenty-four miles square: the latter should be about six miles square each, and would answer to the hundreds of your Saxon Alfred. In each of these might be, 1. An elementary school. 2. A company of militia, with its officers. 3. A justice of the peace and constable. 4. Each ward should take care of their own poor. 5. Their own roads. 6. Their own police. 7. Elect within themselves one or more jurors to attend the courts of justice. And 8. Give in at their Folk-house, their votes for all functionaries reserved to their election. Each ward would thus be a small republic within itself, and every man in the State would thus become an acting member of the common government, transacting in person a great portion of its rights and duties, subordinate indeed, yet important, and entirely within his competence. The wit of man cannot devise a more solid basis for a free, durable, and well administered republic.

With respect to our State and federal governments, I do not think their relations correctly understood by foreigners. They generally suppose the former subordinate to the latter. But this is not the case. They are co-ordinate departments of one simple and integral whole. To the State governments are reserved all legislation and administration, in affairs which concern their own citizens only, and to the federal government is given whatever concerns foreigners, or the citizens of other States, these functions alone being made federal. The one is the domestic, the other the foreign branch of the same government; neither having control over the other, but within its own department. There are one or two exceptions only to his partition of power. But, you may ask if the two departments should claim each the same subject of power, where is the common umpire to decide ultimately between them? In cases of little importance or urgency, the prudence of both parties will keep them aloof from the questionable ground; but if it can neither be avoided nor compromised, a convention of the States must be called, to ascribe the doubtful power to that department which they may think best. You will perceive by these details that we have not yet so far perfected our constitutions as to venture to make them unchangeable. But still, in their present state, we consider them not otherwise changeable than by the authority of the people, on a special election of representatives for that purpose expressly: they are until then the *lex legum*.

But can they be made unchangeable? Can one generation bind another, and all others, in succession for ever? I think not. The Creator has made the earth for the living, not the dead. Rights and powers can only belong to persons, not to things, not to mere matter, unendowed with will. The dead are not even things. The particles of matter which composed their bodies, make part now of the bodies of other animals, vegetables, or minerals, of a thousand forms. To what then are attached the rights and powers they held while in the form of men? A generation may bind itself as long as its majority continues in life; when that has disappeared, another majority is in place, holds all the rights and powers their predecessors once held, and may change their laws and institutions to suit themselves. Nothing then is unchangeable but the inherent and unalienable rights of man.

I was glad to find in your book a formal contradiction, at length, of the judiciary usurpation of legislative powers; for such the judges have usurped in their repeated decisions, that Christianity is a part of the common law. The proof of the contrary, which you have adduced, is incontrovertible; to wit, that the common law existed while the Anglo-Saxons were yet Pagans, at a time when they had never yet heard the name of Christ pronounced, or knew that such a character had ever existed. But it may amuse you, to shew when, and by what means, they stole this law in upon us. In a case of *quare impedit* in the Year-book 34. H. 6. folio 38. (anno 1458,) a question was made, how far the ecclesiastical law was to be respected in a common law court? And Prisot, Chief Justice, gives his opinion in these words: 'A tiel leis qu' ils de seint eglise ont en *ancien scripture*, covient à nous à donner credence; car ceo common ley sur quels touts manners leis sont fondés. Et auxy, Sir, nous sumus oblègés de conustre lour ley de saint eglise: et semblablement ils sont obligés de conustre nostre ley. Et, Sir, si poit apperer or à nous que l'evesque ad fait come un ordinary fera en tiel cas, adong nous devons ceo adjuger bon, ou auterment nemy,' &c. See S. C. Fitzh. Abr. Qu. imp. 89. Bro. Abr. Qu. imp. 12. Finch in his first book, c. 3, is the first afterwards who quotes this case, and mistakes it thus. 'To such laws of the church as have warrant in *holy scripture*, our law giveth credence.' And cites Prisot; mistranslating '*ancien scripture*,' into '*holy scripture*.' Whereas Prisot palpably says, 'to such laws as those of holy church have in *antient writing*, it is proper for us to give credence;' to wit, to their *antient written* laws. This was in 1613, a century and a half after the dictum of Prisot. Wingate, in 1658, erects this false translation into a maxim of the common law, copying the words of Finch, but citing Prisot. Wing. Max. 3. And Sheppard, title, 'Religion,' in 1675, copies the same mistranslation, quoting the Y.B. Finch and Wingate. Hale expresses it in these words; 'Christianity is parcel of the laws of England.' 1 Ventr. 293. 3 Keb. 607. But he quotes no authority. By these echoings and re-echoings from one to another, it had become so established in 1728, that in the case of the King *v.* Woolston, 2 Stra. 834, the court would not suffer it to be debated, whether to write against Christianity was punishable in the temporal court at common law? Wood, therefore, 409, ventures still to vary the phrase, and say, that all blasphemy and profaneness are offences by the common law; and cites 2 Stra. Then Blackstone, in 1763, IV. 59, repeats the words of Hale, that 'Christianity is part of the laws of England,' citing Ventris and Strange. And finally, Lord Mansfield, with a little qualification, in Evans's case, in 1767, says, that 'the essential principles of revealed religion are part of the common law.' Thus ingulfing Bible, Testament, and all into the common law, without citing any authority. And thus we find this chain of athorities hanging link by link, one upon another, and all ultimately on one and the same hook, and that a mistranslation of the words '*ancien scripture*,' used by Prisot. Finch quotes Prisot; Wingate does the same. Sheppard quotes Prisot, Finch, and Wingate. Hale cites nobody. The court in Woolston's case, cite Hale. Wood cites Woolston's case. Blackstone quotes Woolston's case and Hale. And Lord Mansfield, like Hale, ventures it on his own authority. Here I might defy the best read lawyer to produce another scrip of authority for this judiciary forgery; and I might go on further to shew, how some of the Anglo-Saxon priests interpolated into the text of Alfred's laws, the 20th, 21st, 22nd, and 23rd chapters of Exodus, and the 15th of the Acts of the Apostles, from the 23rd to the 29th verses. But this would lead my pen and your patience too far. What a conspiracy this, between Church and State! Sing Tantarara, rogues all, rogues all, Sing Tantarara, rogues all!

I must still add to this long and rambling letter, my acknowledgments for your good wishes to the University we are now establishing in this State. There are some novelties in it. Of that of a professorship of the principles of government, you express your approbation. They will be founded in the rights of man. That of agriculture, I am sure, you will approve: and that also of Anglo-Saxon. As the histories and laws left us in that type and dialect, must be the text books of the reading of the learners, they will imbibe with the language their free principles of government. The volumes you have been so kind as to send, shall be placed in the library of the University. Having at this time in England a person sent for the purpose of selecting some Professors, a Mr. Gilmer of my neighbourhood, I cannot but recommend him to your patronage, counsel and guardianship, against imposition, misinformation, and the deceptions of partial and false recommendations, in the selection of characters. He is a gentleman of great worth and correctness, my particular friend, well educated in various branches of science, and worthy of entire confidence.

Your age of eighty-four and mine of eighty-one years, insure us a speedy meeting. We may then commune at leisure, and more fully, on the good and evil, which, in the course of our long lives, we have both witnessed; and in the mean time, I pray you to accept assurances of my high veneration and esteem for your person and character.

TH. JEFFERSON.

TO MARTIN VAN BUREN.

Monticello, June 29, 1824.

DEAR SIR,

I have to thank you for Mr. Pickering's elaborate philippic against Mr. Adams, Gerry, Smith, and myself; and I have delayed the acknowledgment until I could read it and make some observations on it.

I could not have believed, that for so many years, and to such a period of advanced age, he could have nourished passions so vehement and viperous. It appears, that for thirty years past, he has been industriously collecting materials for vituperating the characters he had marked for his hatred; some of whom, certainly, if enmities towards him had ever existed, had forgotten them all, or buried them in the grave with themselves. As to myself, there had never been any thing personal between us, nothing but the general opposition of party sentiment; and our personal intercourse had been that of urbanity, as himself says. But it seems he has been all this time brooding over an enmity which I had never felt, and that with respect to myself, as well as others, he has been writing far and near, and in every direction, to get hold of original letters, where he could; copies, where he could not; certificates and journals, catching at every gossiping story he could hear of in any quarter; supplying by suspicions what he could find no where else, and then arguing on this motley farrago, as if established on gospel evidence. And while expressing his wonder, that 'at the age of eighty-eight, the strong passions of Mr. Adams should not have cooled;' that on the contrary, 'they had acquired the mastery of his soul,' (p. 100;) that 'where these were enlisted, no reliance could be placed on his statements,' (p. 104;) the facility and little truth with which he could represent facts and occurrences, concerning persons who were the objects of his hatred, (p. 3;) that 'he is capable of making the grossest misrepresentations, and, from detached facts, and often from bare suspicions, of drawing unwarrantable inferences, if suited to his purpose at the instant,' (p. 174;) while making such charges, I say, on Mr. Adams, instead of his '*ecce homo*,' (p. 100;) how justly might we say to him, "*mutato nomine, de te fabula narratur*." For the assiduity and industry he has employed in his benevolent researches after matter of crimination against us, I refer to his pages 13, 14, 34, 36, 46, 71, 79, 90, bis. 92, 93, bis. 101, ter. 104, 116, 118, 141, 143, 146, 150, 151, 153, 168, 171, 172. That Mr. Adams's strictures on him, written and printed, should have excited some notice on his part, was not perhaps to be wondered at. But the sufficiency of his motive for the large attack on me may be more questionable. He says, (p. 4) 'of Mr. Jefferson I should have said nothing, but for his letter to Mr. Adams, of October the 12th, 1823.' Now, the object of that letter was to soothe the feelings of a friend, wounded by a publication which I thought an 'outrage on private confidence.' Not a word or allusion in it respecting Mr. Pickering, nor was it suspected that it would draw forth his pen in justification of this infidelity, which he has, however, undertaken in the course of his pamphlet, but more particularly in its conclusion.

He arraigns me on two grounds, my actions, and my motives. The very actions, however, which he arraigns, have been such as the great majority of my fellow citizens have approved. The approbation of Mr. Pickering, and of those who thought with him, I had no right to expect. My motives he chooses to ascribe to hypocrisy, to ambition, and a passion for popularity. Of these the world must judge between us. It is no office of his or mine. To that tribunal I have ever submitted my actions and motives, without ransacking the Union for certificates, letters, journals, and gossiping tales, to justify myself and weary them. Nor shall I do this on the present occasion, but leave still to them these antiquated party diatribes, now newly revamped and paraded, as if they had not been already a thousand times repeated, refuted, and adjudged against him, by the nation itself. If no action is to be deemed virtuous for which malice can imagine a sinister motive, then there never was a virtuous action; no, not even in the life of our Saviour himself. But he has taught us to judge the tree by its fruit, and to leave motives to Him who can alone see into them.

But whilst I leave to its fate the libel of Mr. Pickering, with the thousands of others like it, to which I have given no other answer than a steady course of similar action, there are two facts or fancies of his which I must set to rights. The one respects Mr. Adams, the other myself. He observes that my letter of October the 12th 1823, acknowledges the receipt of one from Mr. Adams, of September the 18th, which, having been written a few days after Cunningham's publication, he says was no doubt written to apologise to me for the pointed reproaches he had uttered against me in his confidential letters to Cunningham. And thus having 'no doubt' of his conjecture, he considers it as proven, goes on to suppose the contents of the letter, (19, 22) makes it place Mr. Adams at my feet suing for pardon, and continues to rant upon it, as an undoubted fact. Now I do most solemnly declare, that so far from being a letter of apology, as Mr. Pickering so undoubtingly assumes, there was not a word or allusion in it respecting Cunningham's publication.

The other allegation respecting myself, is equally false. In page 34, he quotes Doctor Stuart, as having twenty years ago, informed him that General Washington, 'when he became a private citizen,' called me to account for expressions in a letter to Mazzei, requiring, in a tone of unusual severity, an explanation of that letter. He adds of himself, 'In what manner the latter humbled himself and appeased the just resentment of Washington, will never be known, as some time after his death, the correspondence was not to be found, and a diary for an important period of his Presidency was also missing.' The diary being of transactions during his Presidency, the letter to Mazzei not known here until some time *after he became a private citizen*, and the pretended correspondence of course after that, I know not why this lost diary and supposed correspondence are brought together here, unless for insinuations worthy of the letter itself. The correspondence could not be found, indeed, because it had never existed. I do affirm that there never passed a word, written or verbal, directly or indirectly, between General Washington and myself on the subject of that letter. He would never have degraded himself, so far as to take to himself the imputation in that letter on the 'Samsons in combat.' The whole story is a fabrication, and I defy the framers of it, and all mankind, to produce a scrip of a pen between General Washington and myself on the subject, or any other evidence more worthy of credit than the suspicions, suppositions, and presumptions of the two persons here quoting and quoted for it. With Doctor Stuart I had not much acquaintance. I supposed him to be an honest man, knew him to be a very weak one, and, like Mr. Pickering, very prone to antipathies, boiling with party passions, and under the dominion of these readily welcoming fancies for facts. But come the story from whomsoever it might, it is an unqualified falsehood.

This letter to Mazzei has been a precious theme of crimination for federal malice. It was a long letter of business, in which was inserted a single paragraph only of political information as to the state of our country. In this information there was not one word which would not then have been, or would not now be approved by every republican in the United States, looking back to those times, as you will see by a faithful copy now inclosed of the whole of what that letter said on the subject of the United States, or of its government. This paragraph, extracted and translated, got into a Paris paper at a time when the persons in power there were labouring under very general disfavour, and their friends were eager to catch even at straws to buoy them up. To them, therefore, I have always imputed the interpolation of an entire paragraph additional to mine, which makes me charge my own country with ingratitude and injustice to France. There was not a word in my letter respecting France, or any of the proceedings or relations between this country and that. Yet this interpolated paragraph has been the burthen of federal calumny, has been constantly quoted by them, made the subject of unceasing and virulent abuse, and is still quoted, as you see, by Mr. Pickering, page 33, as if it were genuine, and really written by me. And even Judge Marshall makes history descend from its dignity, and the ermine from its sanctity, to exaggerate, to record, and to sanction this forgery. In the very last note of his book, he says, 'A letter from Mr. Jefferson to Mr. Mazzei, an Italian, was published in Florence, and republished in the Moniteur, with very severe strictures on the conduct of the United States.' And instead of the letter itself, he copies what he says are the remarks of the editor, which are an exaggerated commentary on the fabricated paragraph itself, and silently leaves to his reader to make the ready inference that these were the sentiments of the letter. Proof is the duty of the affirmative side. A negative cannot be positively proved. But, in defect of impossible proof of what was not in the original letter, I have its press-copy still in my possession. It has been shewn to several, and is open to any one who wishes to see it. I have presumed only that the interpolation was done in Paris. But I never saw the letter in either its Italian or French dress, and it may have been done here, with the commentary handed down to posterity by the judge. The genuine paragraph, re-translated through Italian and French into English, as it appeared here in a federal paper, besides the mutilated hue which these translations and re-translations of it produced generally, gave a mistranslation of a single word, which entirely perverted its meaning, and made it a pliant and fertile text of misrepresentation of my political principles. The original, speaking of an Anglican, monarchical, and aristocratical party, which had sprung up since he had left us, states their object to be 'to draw over us the substance, as they had already done the *forms*, of the British government.' Now the 'forms' here meant, were the levees, birthdays, the pompous cavalcade to the State House on the meeting of Congress, the formal speech from the throne, the procession of Congress in a body to re-echo the speech in an answer, &c. &c. But the translator here, by substituting *form* in the singular number, for *forms* in the plural, made it mean the frame or organization of our government, or its form of legislative, executive and judiciary authorities, co-ordinate and independent; to which *form* it was to be inferred that I was an enemy. In this sense they always quoted it, and in this sense Mr. Pickering still quotes it, pages 34, 35, 38, and countenances the inference. Now General Washington perfectly understood what I meant by these forms, as they were frequent subjects of conversation between us. When, on my return from Europe, I joined the government in March, 1790, at New York, I was much astonished, indeed, at the mimicry I found established of royal forms and ceremonies, and more alarmed at the unexpected phenomenon, by the monarchical sentiments I heard expressed and openly maintained in every company, and among others by the high members of the government, executive, and judiciary, (General Washington alone excepted,) and by a great part of the legislature, save only some members who had been of the old Congress, and a very few of recent introduction. I took occasion, at various times, of expressing to General Washington my disappointment at these symptoms of a change of principle, and that I thought them encouraged by the forms and ceremonies which I found prevailing, not at all in character with the simplicity of republican government, and looking as if wishfully to those of European courts. His general explanations to me were, that when he arrived at New York to enter on the executive administration of the new government, he observed to those who were to assist him, that placed as he was in an office entirely new to him, unacquainted with the forms and ceremonies of other governments, still less apprised of those which might be properly established here, and himself perfectly indifferent to all forms, he wished them to consider and prescribe what they should be; and the task was assigned particularly to General Knox, a man of parade, and to Colonel Humphreys, who had resided some time at a foreign court. They, he said, were the authors of the present regulations, and that others were proposed so highly strained that he absolutely rejected them. Attentive to the difference of opinion prevailing on this subject, when the term of his second election arrived, he called the heads of departments together, observed to them the situation in which he had been at the commencement of the government, the advice he had taken, and the course he had observed in compliance with it; that a proper occasion had now arrived of revising that course, of correcting in it any particulars not approved in experience; and he desired us to consult together, agree on any changes we should think for the better, and that he should willingly conform to what we should advise. We met at my office.

Hamilton and myself agreed at once that there was too much ceremony for the character of our government, and particularly, that the parade of the installation at New York ought not to be copied on the present occasion; that the President should desire the Chief Justice to attend him at his chambers, that he should administer the oath of office to him in the pre- nce of the higher officers of the government, and that the rtificate of the fact should be delivered to the Secretary of ate to be recorded. Randolph and Knox differed from us, latter vehemently: they thought it not advisable to change y of the established forms, and we authorized Randolph to ort our opinions to the President. As these opinions were ided, and no positive advice given as to any change, no nge was made. Thus, the forms which I had censured in letter to Mazzei, were perfectly understood by General ashington, and were those which he himself but barely toleed. He had furnished me a proper occasion for proposing ir reformation, and my opinion not prevailing, he knew I ld not have meant any part of the censure for him.

Mr. Pickering quotes too, (page 34) the expression in the er, of 'the men who were Samsons in the field and Solo- ns in the council, but who had had their heads shorn the harlot England;' or, as expressed in their re-translation, 'the men who were Solomons in council, and Samsons in combat, but whose hair had been cut off by the whore England.' Now this expression also was perfectly understood by General Washington. He knew that I meant it for the Cincinnati generally, and that from what had passed between us at the commencement of that institution, I could not mean to include him. When the first meeting was called for its establishment, I was a member of the Congress then sitting at Annapolis. General Washington wrote to me, asking my opinion on that proposition, and the course, if any, which I thought Congress would observe respecting it. I wrote him frankly my own disapprobation of it; that I found the members of Congress generally in the same sentiment; that I thought they would take no express notice of it, but that, in all appointments of trust, honour, or profit, they would silently pass by all candidates of that order, and give an uniform preference to others. On his way to the first meeting in Philadelphia, which I think was in the spring of 1784, he called on me at Annapolis. It was a little after candle-light, and he sat with me till after midnight, conversing, almost exclusively, on that subject. While he was feelingly indulgent to the motives which might induce the officers to promote it, he concurred with me entirely in condemning it; and when I expressed an idea that if the hereditary quality were suppressed, the institution might perhaps be indulged during the lives of the officers now living, and who had actually served, 'No,' he said, 'not a fibre of it ought to be left, to be an eye-sore to the public, a ground of dissatisfaction, and a line of separation between them and their country:' and he left me with a determination to use all his influence for its entire suppression. On his return from the meeting, he called on me again, and related to me the course the thing had taken. He said that, from the beginning, he had used every endeavour to prevail on the officers to renounce the project altogether, urging the many considerations which would render it odious to their fellow citizens, and disreputable and injurious to themselves; that he had at length prevailed on most of the old officers to reject it, although with great and warm opposition from others, and especially the younger ones, among whom he named Colonel W. S. Smith as particularly intemperate. But that in this state of things, when he thought the question safe, and the meeting drawing to a close, Major L'Enfant arrived from France, with a bundle of eagles, for which he had been sent there, with letters from the French officers who had served in America, praying for admission into the order, and a solemn act of their king permitting them to wear its ensign. This, he said, changed the face of matters at once, produced an entire revolution of sentiment, and turned the torrent so strongly in an opposite direction that it could be no longer withstood: all he could then obtain, was a suppression of the hereditary quality. He added, that it was the French applications, and respect for the approbation of the king, which saved the establishment in its modified and temporary form. Disapproving thus of the institution, as much as I did, and conscious that I knew him to do so, he could never suppose that I meant to include him among the Samsons in the field, whose object was to draw over us the *form*, as they made the letter say, of the British government, and especially its aristocratic member, an hereditary house of lords. Add to this, that the letter saying, 'that two out of the three branches of legislature were against us,' was an obvious exception of him: it being well known that the majorities in the two branches of Senate and Representatives, were the very instruments which carried, in opposition to the old and real republicans, the measures which were the subjects of condemnation in this letter. General Washington, then, understanding perfectly what and whom I meant to designate, in both phrases, and that they could not have any application or view to himself, could find in neither any cause of offence to himself; and therefore neither needed, nor ever asked, any explanation of them from me. Had it even been otherwise, they must know very little of General Washington, who should believe to be within the laws of his character what Doctor Stuart is said to have imputed to him. Be this, however, as it may, the story is infamously false in every article of it. My last parting with General Washington was at the inauguration of Mr. Adams, in March 1797, and was warmly affectionate; and I never had any reason to believe any change on his part, as there certainly was none on mine. But one session of Congress intervened between that and his death, the year following, in my passage to and from which, as it happened to be not convenient to call on him, I never had another opportunity; and as to the cessation of correspondence observed during that short interval, no particular circumstance occurred for epistolary communication, and both of us were too much oppressed with letter writing, to trouble, either the other, with a letter about nothing.

The truth is, that the federalists, pretending to be the exclusive friends of General Washington, have ever done what they could to sink his character, by hanging theirs on it, and by representing, as the enemy of republicans, him, who, of all men, is best entitled to the appellation of the father of that republic which they were endeavouring to subvert, and the republicans to maintain. They cannot deny, because the elections proclaimed the truth, that the great body of the nation approved the republican measures. General Washington was himself sincerely a friend to the republican principles of our constitution. His faith, perhaps, in its duration, might not have been as confident as mine; but he repeatedly declared to me, that he was determined it should have a fair chance for success, and that he would lose the last drop of his blood in its support, against any attempt which might be made to change it from its republican form. He made these declarations the oftener, because he knew my suspicions that Hamilton had other views, and he wished to quiet my jealousies on this subject. For Hamilton frankly avowed, that he considered the British constitution, with all the corruptions of its administration, as the most perfect model of government which had ever been devised by the wit of man; professing, however, at the same time, that the spirit of this country was so fundamentally republican, that it would be visionary to think of introducing monarchy here, and that, therefore, it was the duty of its administrators to conduct it on the principles their constituents had elected.

General Washington, after the retirement of his first cabinet, and the composition of his second, entirely federal, and at the head of which was Mr. Pickering himself, had no opportunity of hearing both sides of any question. His measures, consequently, took more the hue of the party in whose hands he was. These measures were certainly not approved by the republicans; yet were they not imputed to him, but to the counsellors around him; and his prudence so far restrained their impassioned course and bias, that no act of strong mark, during the remainder of his administration, excited much dissatisfaction. He lived too short a time after, and too much withdrawn from information, to correct the views into which he had been deluded; and the continued assiduities of the party drew him into the vortex of their intemperate career; separated him still farther from his real friends, and excited him to actions and expressions of dissatisfaction, which grieved them, but could not loosen their affections from him. They would not suffer the temporary aberration to weigh against the immeasurable merits of his life; and although they tumbled his seducers from their places, they preserved his memory embalmed in their hearts, with undiminished love and devotion; and there it for ever will remain embalmed, in entire oblivion of every temporary thing which might cloud the glories of his splendid life. It is vain, then, for Mr. Pickering and his friends to endeavour to falsify his character, by representing him as an enemy to republicans and republican principles, and as exclusively the friend of those who were so; and had he lived longer, he would have returned to his antient and unbiassed opinions, would have replaced his confidence in those whom the people approved and supported, and would have seen that they were only restoring and acting on the principles of his own first administration.

I find, my dear Sir, that I have written you a very long letter, or rather a history. The civility of having sent me a copy of Mr. Pickering's diatribe, would scarcely justify its address to you. I do not publish these things, because my rule of life has been never to harass the public with fendings and provings of personal slanders; and least of all would I descend into the arena of slander with such a champion as Mr. Pickering. I have ever trusted to the justice and consideration of my fellow-citizens, and have no reason to repent it, or to change my course. At this time of life too, tranquillity is the *summum bonum*. But although I decline all newspaper controversy, yet when falsehoods have been advanced, within the knowledge of no one so much as myself, have sometimes deposited a contradiction in the hands of friend, which, if worth preservation, may, when I am n more, nor those whom I might offend, throw light on history and recall that into the path of truth. And if of no othe value, the present communication may amuse you with anecdotes not known to every one.

I had meant to have added some views on the amalgamatio of parties, to which your favour of the 8th has some allusion an amalgamation of name, but not of principle. Tories ar tories still, by whatever name they may be called. But m letter is already too unmercifully long, and I close it her with assurances of my great esteem and respectful consideration.

TH. JEFFERSON.

TO EDWARD EVERETT.

Monticello, October 15, 1824.

DEAR SIR,

I have yet to thank you for your Φ. B. K. oration delivere in presence of General la Fayette. It is all excellent, muc of it sublimely so, well worthy of its author and his subject of whom we may truly say, as was said of Germanicus '*fruitur fama sui.*'

Your letter of September the 10th gave me the first information that mine to Major Cartwright had got into the newspapers; and the first notice, indeed, that he had received it I was a stranger to his person, but not to his respectable an patriotic character. I received from him a long and interestin letter, and answered it with frankness, going without reserv into several subjects, to which his letter had led, but on whic I did not suppose I was writing for the newspapers. Th publication of a letter in such a case, without the consent o the writer, is not a fair practice.

The part which you quote, may draw on me the host o judges and divines. They may cavil, but cannot refute it Those who read Prisot's opinion with a candid view to understand, and not to chicane it, cannot mistake its meaning. The reports in the Year-books were taken very short. The opinions of the judges were written down sententiously, as note or memoranda, and not with all the development which they probably used in delivering them. Prisot's opinion, to be fully expressed, should be thus paraphrased. 'To such laws as those of holy church have recorded, and preserved in their antient books and writings, it is proper for us to give credence; for so is, or so says, the common law, or law of the land, on which all manner of other laws rest for their authority, or are founded; that is to say, the common law, or the law of the land, common to us all, and established by the authority of us all, is that from which is derived the authority of all other special and subordinate branches of law, such as the canon law, law merchant, law maritime, law of Gavelkind, Borough English, corporation laws, local customs and usages, to all of which the common law requires its judges to permit authority in the special or local cases belonging to them. The evidence of these laws is preserved in their antient treatises, books, and writings, in like manner as our own common law itself is known, the text of its original enactments having been long lost, and its substance only preserved in antient and traditionary writings. And if it appears, from their antient books, writings, and records, that the bishop, in this case, according to the rules prescribed by these authorities, has done what an ordinary would have done in such case, then we should adjudge it good, otherwise not.' To decide this question, they would have to turn to the antient writings and records of the canon law, in which they would find evidence of the laws of advowsons, *quare impedit*, the duties of bishops and ordinaries, for which terms Prisot could never have meant to refer them to the Old or New Testament, *les saincts scriptures*, where surely they would not be found. A license which should permit '*ancien scripture*' to be translated 'holy scripture,' annihilates at once all the evidence of language. With such a license, we might reverse the sixth commandment into 'thou shalt *not* omit murder.' It would be the more extraordinary in this case, where the mistranslation was to effect the adoption of the whole code of the Jewish and Christian laws into the text of our statutes, to convert religious offences into temporal crimes, to make the breach of every religious precept a subject of indictment, submit the question of idolatry, for example, to the trial of a jury, and to a court, its punishment, to the third and fourth generation of the offender. Do we allow to our judges this lumping legislation?

The term 'common law,' although it has more than one meaning, is perfectly definite, *secundum subjectam materiem*. Its most probable origin was on the conquest of the Heptarchy by Alfred, and the amalgamation of their several codes of law

into one, which became *common* to
text of these enactments has not
substance has been committed to ma
ings, so faithfully as to have been d
ration to generation, and obeyed as
some fragments of them collected
others, but abounding with proofs
city. Magna Charta is the earliest
has come down to us in an authent
ward we have them entire. We d
the *common* law and *statute* law, th
began to be contra-distinguished, sc
tation to the former term; whethe
day, at which time we know that
half of statutes were in preservati
introduction of the chancery branch
law began to be used in a third s
chancery law. This, however, hav
time, could not have been the sense
He must have meant the antient *le*
he used it as inclusive of the *lex*
his finger on the statute which h
deference to the laws of holy ch
existing, he must have referred tc
sense of a *lex non scripta*. Whenc
law is used in either of these sense
in any other, it is readily known in
text and subject matter under cc
present case, leave no room for dou

I do not remember the occasio
this subject, while a practitioner o
went into it with all the research
library enabled me to indulge; and
of any of my quotations. The dc
by many other and different topics
satisfied myself of the origin of the
like a rolling snow-ball, it had ga
further pursuit to those who need
I have already gone further than
pressed might require.

I salute you with great esteem an

TO JOSEPH C. CABELL.

Monticello, January 11, 1825.

Dear Sir,

We are dreadfully nonplussed here by the non-arrival of our three Professors. We apprehend that the idea of our opening on the 1st of February prevails so much abroad, (although we have always mentioned it doubtfully,) as that the students will assemble on that day without awaiting the further notice which was promised. To send them away will be discouraging, and to open an University without mathematics or natural philosophy would bring on us ridicule and disgrace. We therefore publish an advertisement, stating that on *the arrival* of these Professors, notice will be given of the day of opening the institution.

Governor Barbour writes me hopefully of getting our fifty thousand dollars from Congress. The proposition has been originated in the House of Representatives, referred to the committee of claims, the chairman of which has prepared a very favourable report, and a bill conformable, assuming the repayment of all interest which the State has actually paid. The legislature will certainly owe to us the recovery of this money; for had they not given it in some measure the reverenced character of a donation for the promotion of learning, it would never have been paid. It is to be hoped, therefore, that the displeasure incurred by wringing it from them at the last session, will now give way to a contrary feeling, and even place us on a ground of some merit. Should this sentiment take place, and the arrival of our Professors, and filling our dormitories with students on the 1st of February, encourage them to look more favourably towards us, perhaps it might dispose them to enlarge somewhat their order on the same fund. You observe the Proctor has stated, in a letter accompanying our Report, that it will take about twenty-five thousand dollars more than we have to finish the Rotunda. Besides this, an anatomical theatre (costing about as much as one of our hotels, say about five thousand dollars,) is indispensable to the school of anatomy. There cannot be a single dissection until a proper theatre is prepared, giving an advantageous view of the operation to those within, and effectually excluding observation from without. Either the additional sums, therefore, of twenty-five thousand and five thousand dollars will be wanting, or we must be permitted to appropriate a part

of the fifty thousand to a theatre,
finished for the present. Yet I sh
objects an equivalent for renewing t
ture. Unless we can carry their he
institution can never flourish. I w
this additional aid, unless it were ag
rally, and tolerably sure of being c

In your letter of December the
writing and my letters have great eff
I am sensible, my dear Sir, of the
couragement is held up to me. B
are very different. When I retire
public affairs, I thought I saw s
with a good degree of public favo
office had been considered, by the
probation, and with acquiescence
attempt in which I have embarked
improvement in the moral condi
although, perhaps, in other State
good dispositions, it has assuredly
own. The attempt ran foul of so
many personal views, and so much
considered as so particularly its pr
a great change of sentiment towar
its having dissatisfied with myself a
a majority of the House of Deleg
very discouragingly. Yet I shall
found, in my progress through life,
if we do always what is right, the
beginning will surely follow us
posterity we are to expect remu
we are making for their service,
will. And I fear not the appea
young men whom we shall redeem
feel that they owe to us the elevat
and station they will be able to att
efforts, will insure their rememberi
will not, then, be 'weary in wel
amicus tuus.

THOMAS JEFFERSON TO THOMAS JEFFERSON SMITH.

This letter will, to you, be as one from the dead. The writer will be in the grave before you can weigh its counsels. Your affectionate and excellent father, has requested that I would address to you something which might possibly have a favourable influence on the course of life you have to run, and I too, as a namesake, feel an interest in that course. Few words will be necessary, with good dispositions on your part. Adore God. Reverence and cherish your parents. Love your neighbour as yourself, and your country more than yourself. Be just. Be true. Murmur not at the ways of Providence. So shall the life into which you have entered, be the portal to one of eternal and ineffable bliss. And if to the dead it is permitted to care for the things of this world, every action of your life will be under my regard. Farewell.

Monticello, February 21, 1825.

The portrait of a good man by the most sublime of poets, for your imitation.

Lord, who's the happy man that may to thy blest courts repair;
Not stranger-like to visit them, but to inhabit there?
'Tis he whose every thought and deed by rules of virtue moves;
Whose generous tongue disdains to speak the thing his heart disproves.
Who never did a slander forge, his neighbour's fame to wound;
Nor hearken to a false report, by malice whisper'd round
Who vice in all its pomp and power, can treat with just neglect;
And piety, though clothed in rags, religiously respect.
Who to his plighted vows and trust has ever firmly stood;
And though he promise to his loss, he makes his promise good.
Whose soul in usury disdains his treasure to employ;
Whom no rewards can ever bribe the guiltless to destroy.
The man, who, by this steady course, has happiness insur'd,
When earth's foundations shake, shall stand, by Providence secur'd.

A Decalogue of Canons for observation in practical life.

1. Never put off till to-morrow what you can do to-day.
2. Never trouble another for what you can do yourself.
3. Never spend your money before you have it.
4. Never buy what you do not want, because it is cheap; it will be dear to you.
5. Pride costs us more than hunger, thirst, and cold.
6. We never repent of having eaten too little.
7. Nothing is troublesome that we do willingly.

8. How much pain have cost us the evils which have nev
happened.
9. Take things always by their smooth handle.
10. When angry, count ten, before you speak; if very angr
a hundred.

TO JAMES MADISON.

Monticello, December 24, 1825.

DEAR SIR,

I have for some time considered the question of internal im
provement as desperate. The torrent of general opinion se
so strongly in favour of it as to be irresistible. And I suppo
that even the opposition in Congress will hereafter be feeb
and formal, unless something can be done which may give
gleam of encouragement to our friends, or alarm their opp
nents in their fancied security. I learn from Richmond, th
those who think with us there are in a state of perfect disma
not knowing what to do, or what to propose. Mr. Gordo
our representative, particularly, has written to me in very de
ponding terms, not disposed to yield indeed, but pressing f
opinions and advice on the subject. I have no doubt yo
are pressed in the same way, and I hope you have devised an
recommended something to them. If you have, stop here an
read no more, but consider all that follows as *non-avenue.*
shall be better satisfied to adopt implicitly any thing which yo
may have advised, than any thing occurring to myself. For
have long ceased to think on subjects of this kind, and pa
little attention to public proceedings. But if you have don
nothing in it, then I risk for your consideration what ha
occurred to me, and is expressed in the inclosed paper. Bailey
propositions, which came to hand since I wrote the paper, an
which I suppose to have come from the President himself, she
a little hesitation in the purposes of his party; and in th
state of mind, a bolt shot critically may decide the contest, b
its effect on the less bold. The olive-branch held out to the
at this moment may be accepted, and the constitution th
saved at a moderate sacrifice. I say nothing of the pape
which will explain itself. The following heads of consider
tion, or some of them, may weigh in its favour.

It may intimidate the wavering. It may break the weste
coalition, by offering the same thing in a different form.
will be viewed with favour in contrast with the Georgia opp
sition and fear of strengthening that. It will be an examp

of a temperate mode of opposition in future and similar cases. It will delay the measure a year at least. It will give us the chance of better times and of intervening accidents; and in no way place us in a worse than our present situation. I do not dwell on these topics; your mind will develop them.

The first question is, whether you approve of doing any thing of the kind. If not, send it back to me, and it shall be suppressed; for I would not hazard so important a measure against your opinion, nor even without its support. If you think it may be a canvass on which to put something good, make what alterations you please, and I will forward it to Gordon, under the most sacred injunctions that it shall be so used as that not a shadow of suspicion shall fall on you or myself, that it has come from either of us. But what you do, do as promptly as your convenience will admit, lest it should be anticipated by something worse.

Ever and affectionately yours,

TH. JEFFERSON.

The solemn Declaration and Protest of the Commonwealth of Virginia, on the principles of the Constitution of the United States of America, and on the violations of them.

We, the General Assembly of Virginia, on behalf, and in the name of the people thereof, do declare as follows:

The States in North America which confederated to establish their independence on the government of Great Britain, of which Virginia was one, became, on that acquisition, free and independent States, and as such, authorised to constitute governments, each for itself, in such form as it thought best.

They entered into a compact, (which is called the constitution of the United States of America,) by which they agreed to unite in a single government as to their relations with each other, and with foreign nations, and as to certain other articles particularly specified. They retained at the same time, each to itself, the other rights of independent government, comprehending mainly their domestic interests.

For the administration of their federal branch, they agreed to appoint, in conjunction, a distinct set of functionaries, legislative executive, and judiciary, in the manner settled in that compact: while to each, severally, and of course, remained its original right of appointing, each for itself, a separate set of functionaries, legislative, executive, and judiciary, also, for administering the domestic branch of their respective governments.

These two sets of officers, each independent of the other, constitute thus a *whole* of government, for each State separately; the powers ascribed to the one, as specifically made federal, exercised over the whole, the residuary powers, retained to the other, exerciseable exclusively over its particular State, foreign herein, each to the others, as they were before the original compact.

To this construction of government and distribution of its powers, the Commonwealth of Virginia does religiously and affectionately adhere, opposing, with equal fidelity and firmness, the usurpation of either set of functionaries on the rightful powers of the other.

But the federal branch has assumed in some cases, and claimed in others, a right of enlarging its own powers by constructions, inferences, and indefinite deductions from those directly given, which this Assembly does declare to be usurpations of the powers retained to the independent branches, mere interpolations into the compact, and direct infractions of it.

They claim, for example, and have commenced the exercise of a right to construct roads, open canals, and effect other internal improvements within the territories and jurisdictions exclusively belonging to the several States, which this Assembly does declare has not been given to that branch by the constitutional compact, but remains to each State among its domestic and unalienated powers, exercisable within itself and by its domestic authorities alone.

This Assembly does further disavow, and declare to be most false and unfounded, the doctrine that the compact, in authorising its federal branch to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States, has given them thereby a power to do whatever *they* may think, or pretend, would promote the general welfare, which construction would make that, of itself, a complete government, without limitation of powers: but that the plain sense and obvious meaning were, that they might levy the taxes necessary to provide for the general welfare, by the various acts of power therein specified and delegated to them, and by no others.

Nor is it admitted, as has been said, that the people of these States, by not investing their federal branch with all the means of bettering their condition, have denied to themselves any which may effect that purpose; since, in the distribution of these means, they have given to that branch those which belong to its department, and to the States have reserved separately the residue which belong to them separately. And thus by the organization of the two branches taken together, have completely secured the first object of human association, the full improvement of their condition, and reserved to themselves all the faculties of multiplying their own blessings.

Whilst the General Assembly thus declares the rights retained by the States, rights which they have never yielded, and which this State will never voluntarily yield, they do not mean to raise the banner of disaffection, or of separation from their sister States, co-parties with themselves to this compact. They know and value too highly the blessings of their Union as to foreign nations and questions arising among themselves, to consider every infraction as to be met by actual resistance. They respect too affectionately the opinions of those possessing the same rights under the same instrument, to make every difference of construction a ground of immediate rupture. They would, indeed, consider such a rupture as among the greatest calamities which could befal them; but not the greatest. There is yet one greater, submission to a government of unlimited powers. It is only when the hope of avoiding this shall become absolutely desperate, that further forbearance could not be indulged. Should a majority of the co-parties, therefore, contrary to the expectation and hope of this Assembly, prefer, at this time, acquiescence in these assumptions of power by the federal member of the government, we will be patient and suffer much, under the confidence that time, ere it be too late, will prove to them also the bitter consequences in which that usurpation will involve us all. In the mean while, we will breast with them, rather than separate from them, every misfortune, save that only of living under a government of unlimited powers. We owe every other sacrifice to ourselves, to our federal brethren, and to the world at large, to pursue with temper and perseverance the great experiment which shall prove that man is capable of living in society, governing itself by laws self-imposed, and securing to its members the enjoyment of life, liberty, property, and peace; and further to shew, that even when the government of its choice shall manifest a tendency to degeneracy, we are not at once to despair but that the will and the watchfulness of its sounder parts will reform its aberrations, recall it to original and legitimate principles, and restrain it within the rightful limits of self-government. And these are the objects of this Declaration and Protest.

Supposing, then, that it might be for the good of the whole, as some of its co-States seem to think, that the power of making roads and canals should be added to those directly given to the federal branch, as more likely to be systematically and beneficially directed, than by the independent action of the several States, this Commonwealth, from respect to these opinions, and a desire of conciliation with its co-States, will consent, in concurrence with them, to make this addition, provided it be done regularly by an amendment of the compact, in the way est[illegible] th[illegible] ent, and provided, also, it be sufficiently guarded a[illegible] ses, compromises, and corrupt practices, not only of pos[illegible] out of probable occurrence.

And as a furth[illegible] the sincere and cordial attachment of this Comm[illegible] the union of the whole, so far as has been co[illegible] ed to by [illegible] compact called 'The Constitution of the [illegible] l States [illegible] America,' (construed according to the plain and ordinary m[illegible] aning of its language, to the common intendment of the ti[illegible], and of those who framed it;) to give also to [illegible] parties a[illegible] authorities, time for reflection and for considerati[illegible] under a temperate view of the possible consequen[illegible], [illegible] cially of the constant obstructions which an equivocal majority must ever expect to meet, they will still prefer the assumption of this power rather than its acceptance from the free will of their constituents; and to preserve peace in the meanwhile, we proceed to make it the duty of our citizens, until the legislature shall otherwise and ultimately decide, to acquiesce under those acts of the federal branch of our government which we have declared to be usurpations, and against which, in point of right, we do protest as null and void, and never to be quoted as precedents of right.

We therefore do enact, and be it enacted by the General Assembly of Virginia, that all citizens of this Commonwealth, and persons and authorities within the same, shall pay full obedience at all times to the acts which may be passed by the Congress of the United States, the object of which shall be the construction of post roads, making canals of navigation, and maintaining the same, in any part of the United States, in like manner as if the said acts were, *totidem verbis*, passed by the legislature of this Commonwealth.

TO WILLIAM B. GILES.

Monticello, December 25, 1825.

DEAR SIR,

Your favour of the 15th was received four days ago. It found me engaged in what I could not lay aside till this day.

Far advanced in my eighty-third year, worn down with infirmities which have confined me almost entirely to the house for seven or eight months past, it afflicts me much to receive appeals to my memory for transactions so far back as that which is the subject of your letter. My memory is indeed become almost a blank, of which no better proof can probably be given you than by my solemn protestation that I have not the least recollection of your intervention between Mr. John Q. Adams and myself in what passed on the subject of the embargo. Not the slightest trace of it remains in my mind; yet I have no doubt of the exactitude of the statement in your letter; and the less, as I recollect the interview with Mr. Adams, to which the previous communications which had passed between him and yourself were probably and naturally the preliminary. That interview I remember well; not indeed in the very words which passed between us, but in their substance, which was of a character too awful, too deeply engraved in my mind, and influencing too materially the course I had to pursue, ever to be forgotten. Mr. Adams called on me pending the embargo, and while endeavours were making to obtain its repeal. He made some apologies for the call, on the ground of our not being then in the habit of confidential communications, but that that which he had then to make, involved too seriously the interest of our country not to overrule all other considerations with him, and make it his duty to reveal it to myself particularly. I assured him there was no occasion for any apology for his visit; that, on the contrary, his communications would be thankfully received, and would add a confirmation the more to my entire confidence in the rectitude and patriotism of his conduct and principles. He spoke then of the dissatisfaction of the eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it. That there was nothing which might not be attempted, to rid themselves of it. That he had information of the most unquestionable certainty, that certain citizens of the eastern

States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should take no further part in the war then going on; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint and interruption by the British; that they should be considered and treated by them as neutrals, and as such might conduct themselves towards both parties; and, at the close of the war, be at liberty to rejoin the confederacy. He assured me that there was imminent danger that the convention would take place; that the temptations were such as might debauch many from their fidelity to the Union; and that, to enable its friends to make head against it, the repeal of the embargo was absolutely necessary. I expressed a just sense of the merit of this information, and of the importance of the disclosure to the safety and even the salvation of our country: and however reluctant I was to abandon the measure, (a measure which, persevered in a little longer, we had subsequent and satisfactory assurance would have effected its object completely,) from that moment, and influenced by that information, I saw the necessity of abandoning it; and, instead of effecting our purpose by this peaceful weapon, we must fight it out, or break the Union. I then recommended to my friends to yield to the necessity of a repeal of the embargo, and to endeavour to supply its place by the best substitute in which they could procure a general concurrence.

I cannot too often repeat, that this statement is not pretended to be in the very words which passed; that it only gives faithfully the impression remaining on my mind. The very words of a conversation are too transient and fugitive to be so long retained in remembrance: but the substance was too important to be forgotten, not only from the revolution of measures it obliged me to adopt, but also from the renewals of it in my memory on the frequent occasions I have had of doing justice to Mr. Adams, by repeating this proof of his fidelity to his country, and of his superiority over all ordinary considerations when the safety of that was brought into question.

With this best exertion of a waning memory which I can command, accept assurances of my constant and affectionate friendship and respect.

TH. JEFFERSON.

TO WILLIAM B. GILES.

Monticello, December 26, 1825.

Dear Sir,

I wrote you a letter yesterday, of which you will be free to make what use you please. This will contain matters not intended for the public eye. I see, as you do, and with the deepest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic; and that too, by constructions which, if legitimate, leave no limits to their power. Take together the decisions of the federal court, the doctrines of the President, and the misconstructions of the constitutional compact acted on by the legislature of the federal branch, and it is but too evident, that the three ruling branches of that department are in combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions foreign and domestic. Under the power to regulate commerce, they assume indefinitely that also over agriculture and manufactures, and call it regulation to take the earnings of one of these branches of industry, and that too the most depressed, and put them into the pockets of the other, the most flourishing of all. Under the authority to establish post-roads, they claim that of cutting down mountains for the construction of roads, of digging canals, and, aided by a little sophistry on the words 'general welfare,' a right to do not only the acts to effect that, which are specifically enumerated and permitted, but whatsoever they shall think, or pretend, will be for the general welfare. And what is our resource for the preservation of the constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them. The representatives chosen by ourselves? They are joined in the combination, some from incorrect views of government, some from corrupt ones, sufficient voting together to out-number the sound parts; and with majorities only of one, two, or three, bold enough to go forward in defiance. Are we then *to stand to our arms*, with the hot-headed Georgian. No. That must be the last resource, not to be thought of until much longer and greater sufferings. If every infraction of a compact of so many parties is to be resisted at once, as a dissolution of it, none can ever be formed which would last one year. We must have patience and longer endurance then with our brethren while under delusion; give them time for reflection and experience of consequences; keep ourselves in a situation to profit by the chapter of accidents; and separate from our companions only when the sole alternatives left, are the dissolution of our union with them, or submission to a government without limitation of powers. Between these two evils, when we must make a choice, there can be no hesitation. But, in the meanwhile, the States should be watchful to note every material usurpation on their rights; to denounce them, as they occur, in the most peremptory terms; to protest against them as wrongs to which our present submission shall be considered, not as acknowledgments or precedents of right, but as a temporary yielding to the lesser evil, until their accumulation shall overweigh that of separation. I would go still further, and give to the federal member, by a regular amendment of the constitution, a right to make roads and canals of intercommunication between the States, providing sufficiently against corrupt practices in Congress, (log-rolling, &c.) by declaring that the federal proportion of each State of the monies so employed, shall be in works within the State, or elsewhere with its consent, and with a due *salvo* of jurisdiction. This is the course which I think safest and best as yet.

You ask my opinion of the propriety of giving publicity to what is stated in your letter, as having passed between Mr. John Q. Adams and yourself. Of this no one can judge but yourself. It is one of those questions which belong to the forum of feeling. This alone can decide on the degree of confidence implied in the disclosure; whether under no circumstances it was to be communicated to others? It does not seem to be of that character, or at all to wear that aspect. They are historical facts which belong to the present, as well as future times. I doubt whether a single fact, known to the world, will carry as clear conviction to it, of the correctness of our knowledge of the treasonable views of the federal party of that day, as that disclosed by this, the most nefarious and daring attempt to dissever the Union, of which the Hartford convention was a subsequent chapter: and both of these having failed, consolidation becomes the fourth chapter of the next book of their history. But this opens with a vast accession of strength from their younger recruits, who, having nothing in them of the feelings or principles of '76, now look to a single and splendid government of an aristocracy, founded on banking institutions, and monied incorporations under the guise and cloak of their favoured branches of manufactures, commerce, and navigation, riding and ruling over the plundered ploughman and beggared yeomanry. This will be to them a next best blessing to the monarchy of their first aim, and perhaps the surest stepping stone to it.

I learn with great satisfaction that your school is thriving well, and that you have at its head a truly classical scholar. He is one of three or four whom I can hear of in the State. We were obliged the last year to receive shameful Latinists into the classical school of the University; such as we will certainly refuse as soon as we can get from better schools a sufficiency of those properly instructed to form a class. We must get rid of this Connecticut Latin, of this barbarous confusion of long and short syllables, which renders doubtful whether we are listening to a reader of Cherokee, Shawnee, Iroquois, or what. Our University has been most fortunate in the five Professors procured from England. A finer selection could not have been made. Besides their being of a grade of science which has left little superior behind, the correctness of their moral character, their accommodating dispositions, and zeal for the prosperity of the institution, leave us nothing more to wish. I verily believe that as high a degree of education can now be obtained here, as in the country they left. And a finer set of youths I never saw assembled for instruction. They committed some irregularities at first, until they learned the lawful length of their tether; since which it has never been transgressed in the smallest degree. A great proportion of them are severely devoted to study, and I fear not to say, that within twelve or fifteen years from this time, a majority of the rulers of our State will have been educated here. They shall carry hence the correct principles of our day, and you may count assuredly that they will exhibit their country in a degree of sound respectability it has never known, either in our days, or those of our forefathers. I cannot live to see it. My joy must only be that of anticipation. But that you may see it in full fruition, is the probable consequence of the twenty years I am ahead of you in time, and is the sincere prayer of your affectionate and constant friend,

TH. JEFFERSON.

TO CLAIBORNE W. GOOCH.

Monticello, January 9, 1826.

Dear Sir,

I have duly received your favour of December the 31st, and fear, with you, all the evils which the present lowering aspect of our political horizon so ominously portends. That at some future day, which I hoped to be very distant, the free principles of our government might change, with the change of circumstances, was to be expected. But I certainly did not expect that they would not over-live the generation which established them. And what I still less expected was, that my favourite western country was to be made the instrument of change. I had ever and fondly cherished the interests of that country, relying on it as a barrier against the degeneracy of public opinion from our original and free principles. But the bait of local interests, artfully prepared for their palate, has decoyed them from their kindred attachments to alliances alien to them. Yet, although I have little hope that the torrent of consolidation can be withstood, I should not be for giving up the ship without efforts to save her. She lived well through the first squall, and may weather the present one. But, dear Sir, I am not the champion called for by our present dangers. '*Non tali auxilio, nec defensoribus istis, tempus eget.*' A waning body, a waning mind, and waning memory, with habitual ill health, warn me to withdraw and relinquish the arena to younger and abler athletes. I am sensible myself, if others are not, that this is my duty. If my distant friends know it not, those around me can inform them that they should not, in friendship, wish to call me into conflicts, exposing only the decays which nature has inscribed among her unalterable laws, and injuring the common cause by a senile and puny defence.

I will, however, say one word on the subject. The South Carolina resolutions, Van Buren's motion, and above all Bayley's propositions, shew that other States are coming forward on the subject, and better for any one to take the lead than Virginia, where opposition is considered as commonplace, and a mere matter of form and habit. We shall see what our co-States propose, and before the close of the session we may shape our own course more understandingly.

Accept the assurance of my great esteem and respect.

Th. Jefferson.

TO ——- ——.*

Monticello, January 21, 1826.

DEAR SIR,

Your favour of January the 15th is received, and I am entirely sensible of the kindness of the motives which suggested the caution it recommended. But I believe what I have done is the only thing I could have done with honour or conscience. Mr. Giles requested me to state a fact which he knew himself, and of which he knew me to be possessed. What use he intended to make of it I knew not, nor had I a right to inquire, or to indicate any suspicion that he would make an unfair one. That was his concern, not mine; and his character was sufficient to sustain the responsibility for it. I knew, too, that if an uncandid use should be made of it, there would be found those who would so prove it. Independent of the terms of intimate friendship on which Mr. Giles and myself have ever lived together, the world's respect entitled him to the justice of my testimony to any truth he might call for; and how that testimony should connect me with whatever he may do or write hereafter, and with his whole career, as you apprehend, is not understood by me. With his personal controversies I have nothing to do. I never took any part in them, or in those of any other person. Add to this, that the statement I have given him on the subject of Mr. Adams, is entirely honourable to him in every sentiment and fact it contains. There is not a word in it which I would wish to recall. It is one which Mr. Adams himself might willingly quote, did he need to quote any thing. It was simply, that during the continuance of the embargo, Mr. Adams informed me of a combination (without naming any one concerned in it), which had for its object a severance of the Union, for a time at least. That Mr. Adams and myself not being then in the habit of mutual consultation and confidence, I considered it as the stronger proof of the purity of his patriotism, which was able to lift him above all party passions when the safety of his country was endangered. Nor have I kept this honourable fact to myself. During the late canvass, particularly, I had more than one occasion to quote it to persons who were expressing opinions respecting him, of which this was a direct cor-

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[* It does not appear to whom this letter was addressed.]

rective. I have never entertained for Mr. Adams any but sentiments of esteem and respect; and if we have not thought alike on political subjects, I yet never doubted the honesty of his opinions, of which the letter in question, if published, will be an additional proof. Still, I recognise your friendship in suggesting a review of it, and am glad of this, as of every other occasion, of repeating to you the assurance of my constant attachment and respect.

TH. JEFFERSON.

TO JAMES MADISON.

Monticello, February 17, 1826.

DEAR SIR,

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Immediately on seeing the overwhelming vote of the House of Representatives against giving us another dollar, I rode to the University, and desired Mr. Brockenbrough to engage in nothing new, to stop every thing on hand which could be done without, and to employ all his force and funds in finishing the circular room for the books, and the anatomical theatre. These cannot be done without; and for these and all our debts, we have funds enough. But I think it prudent then to clear the decks thoroughly, to see how we shall stand, and what we may accomplish further. In the mean time, there have arrived for us in different ports of the United States, ten boxes of books from Paris, seven from London, and from Germany, I know not how many; in all, perhaps, about twenty-five boxes. Not one of these can be opened until the book-room is completely finished, and all the shelves ready to receive their charge directly from the boxes, as they shall be opened. This cannot be till May. I hear nothing definitive of the three thousand dollars duty, of which we are asking the remission from Congress. In the selection of our Law Professor, we must be rigorously attentive to his political principles. You will recollect, that before the Revolution, Coke Littleton was the universal elementary book of law students, and a sounder whig never wrote, nor of profounder learning in the orthodox doctrines of the British constitution, or in what were called English liberties. You remember also, that our lawyers were then all whigs. But when his black-letter text, and uncouth but cunning learning, got out of fashion, and the honied Mansfieldism of Blackstone became the students' hornbook, from that moment, that profession (the nursery of our Congress) began to slide into toryism, and nearly all the young brood of lawyers now are of that hue. They suppose themselves, indeed, to be whigs, because they no longer know what whigism or republicanism means. It is in our seminary that that vestal flame is to be kept alive; it is thence it is to spread anew over our own and the sister States. If we are true and vigilant in our trust, within a dozen or twenty years a majority of our own legislature will be from our school, and many disciples will have carried its doctrines home with them to their several States, and will have leavened thus the whole mass. New York has taken strong ground in vindication of the constitution; South Carolina had already done the same. Although I was against our leading, I am equally against omitting to follow in the same line, and backing them firmly; and I hope that yourself or some other will mark out the track to be pursued by us.

You will have seen in the newspapers some proceedings in the legislature, which have cost me much mortification. My own debts had become considerable, but not beyond the effect of some lopping of property, which would have been little felt, when our friend **** gave me the *coup de grâce*. Ever since that I have been paving twelve hundred dollars a year interest on his debt, which, with my own, was absorbing so much of my annual income, as that the maintenance of my family was making deep and rapid inroads on my capital, and had already done it. Still, sales at a fair price would leave me competently provided. Had crops and prices for several years been such as to maintain a steady competition of substantial bidders at market, all would have been safe. But the long succession of years of stunted crops, of reduced prices, the general prostration of the farming business, under levies for the support of manufacturers, &c., with the calamitous fluctuations of value in our paper medium, have kept agriculture in a state of abject depression, which has peopled the western States by silently breaking up those on the Atlantic, and glutted the land market, while it drew off its bidders. In such a state of things, property has lost its character of being a resource for debts. High land in Bedford, which, in the days of our plethory, sold readily for from fifty to one hundred dollars the acre, (and such sales were many then,) would not now sell for more than from ten to twenty dollars, or one quarter or one fifth of its former price. Reflecting on these things, the practice occurred to me, of selling, on fair valuation, and by way of lottery, often resorted to before the Revolution to effect large sales, and still in constant usage in every State for individual as well as corporation purposes. If it is permitted in my case, my lands here alone, with the mills, &c., will pay every thing, and leave me Monticello, and a farm free. If refused, I must sell every thing here, perhaps considerably in Bedford, move thither with my family, where I have not even a log hut to put my head into, and whether ground for burial, will depend on the depredations which, under the form of sales, shall have been committed on my property. The question then with me was *utrum horum?* But why afflict you with these details? Indeed, I cannot tell, unless pains are lessened by communication with a friend. The friendship which has subsisted between us, now half a century, and the harmony of our political principles and pursuits, have been sources of constant happiness to me, through that long period. And if I remove beyond the reach of attentions to the University, or beyond the bourne of life itself, as I soon must, it is a comfort to leave that institution under your care, and an assurance that it will not be wanting. It has also been a great solace to me, to believe that you are engaged in vindicating to posterity, the course we have pursued for preserving to them, in all their purity, the blessings of self-government, which we had assisted too in acquiring for them. If ever the earth has beheld a system of administration conducted with a single and steadfast eye to the general interest and happiness of those committed to it, one which, protected by truth, can never know reproach, it is that to which our lives have been devoted. To myself you have been a pillar of support through life. Take care of me when dead, and be assured that I shall leave you with my last affections.

TH. JEFFERSON.

[The following paper it is deemed proper to insert, as well because of the explanation it contains of the reasons which led the author to ask permission of the legislature to sell his property by lottery, as of its otherwise interesting character.]

THOUGHTS ON LOTTERIES.

It is a common idea that games of chance are immoral But what is chance? Nothing happens in this world without a cause. If we know the cause, we do not call it chance; but if we do not know it, we say it was produced by chance. If we see a loaded die turn its lightest side up, we know the cause, and that it is not an effect of chance; but whatever side an unloaded die turns up, not knowing the cause, we say it is the effect of chance. Yet the morality of a thing cannot depend on our knowledge or ignorance of its cause. Not knowing why a particular side of an unloaded die turns up, cannot make the act of throwing it, or of betting on it, immoral. If we consider games of chance immoral, then every pursuit of human industry is immoral, for there is not a single one that is not subject to chance; not one wherein you do not risk a loss for the chance of some gain. The navigator, for example, risks his ship in the hope (if she is not lost in the voyage) of gaining an advantageous freight. The merchant risks his cargo to gain a better price for it. A landholder builds a house on the risk of indemnifying himself by a rent. The hunter hazards his time and trouble in the hope of killing game. In all these pursuits you stake some one thing against another which you hope to win. But the greatest of all gamblers is the farmer. He risks the seed he puts into the ground, the rent he pays for the ground itself, the year's labour on it, and the wear and tear of his cattle and gear, to win a crop, which the chances of too much or too little rain, and general uncertainties of weather, insects, waste, &c., often make a total or partial loss. These, then, are games of chance. Yet so far from being immoral, they are indispensable to the existence of man, and every one has a natural right to choose for his pursuit such one of them as he thinks most likely to furnish him subsistence. Almost all these pursuits of chance produce something useful to society. But there are some which produce nothing, and endanger the well-being of the individuals engaged in them, or of others depending on them. Such are games with cards, dice, billiards, &c. And although the pursuit of them is a matter of natural right, yet society, perceiving the irresistible bent of some of its members to pursue them, and the ruin produced by them to the families depending on these individuals, consider it as a case of insanity, *quoad hoc*, step in to protect the family and the party himself, as in other cases of insanity, infancy, imbecility, &c., and suppress the pursuit altogether, and the natural right of following it. There are some other games of chance, useful on certain occasions, and injurious only when carried beyond their useful bounds. Such are insurances, lotteries, raffles, &c. These they do not suppress, but take their regulation under their own discretion. The insurance of ships on voyages is a vocation of chance, yet useful, and the right to exercise it therefore is left free. So of houses against fire, doubtful debts, the continuance of a particular life, and similar cases. Money is wanting for an useful undertaking, as a school, &c., for which a direct tax would be disapproved. It is raised therefore by a lottery, wherein the tax is laid on the willing only, that is to say, on those who can risk the price of a ticket without sensible injury, for the possibility of a higher prize. An article of property, insusceptible of division at all, or not without great diminution of its worth, is sometimes of so large value as that no purchaser can be found, while the owner owes debts, has no other means of payment, and his creditors no other chance of obtaining it, but by its sale at a full and fair price. The lottery is here a salutary instrument for disposing of it, where many run small risks for the chance of obtaining a high prize. In this way, the great estate of the late Colonel Byrd (in 1756) was made competent to pay his debts, which, had the whole been brought into the market at once, would have overdone the demand, would have sold at half or quarter the value, and sacrificed the creditors, half or three fourths of whom would have lost their debts. This method of selling was formerly very much resorted to, until it was thought to nourish too much a spirit of hazard. The legislature were therefore induced not to suppress it altogether, but to take it under their own special regulation. This they did, for the first time, by their act of 1769, c. 17, before which time, every person exercised the right freely; and since which time, it is made unlawful, but when approved and authorised by a special act of the legislature.

Since then, this right of sale, by way of lottery, has been exercised only under the discretion of the legislature. Let us examine the purposes for which they have allowed it in practice, not looking beyond the date of our independence.

1. It was for a long time an item of the standing revenue of the State.

1813. c. 1. § 3. An act imposing taxes for the support of government, and c. 2. § 10.
1814. Dec. c. 1. § 3. 1814. Feb. c. 1. § 3. 1818. c. 1. § 1.
1819. c. 1. 1820. c. 1.

This then is a declaration by the nation, that an act was not immoral, of which they were in the habitual use themselves as a part of the regular means of supporting the government; the tax on the vender of tickets was their share of the profits, and if their share was innocent, his could not be criminal.

2. It has been abundantly permitted, to raise money by lottery for the purposes of schools; and in this, as in many other cases, the lottery has been permitted to retain a part of the money (generally from ten to fifteen per cent) for the use to which the lottery has been applied. So that while the adventurers paid one hundred dollars for tickets, they received back eighty-five or ninety dollars only, in the form of prizes, the remaining ten or fifteen being the tax levied on them, with their own consent. Examples are,

1784. c. 34. Authorising the city of Williamsburg to raise £2000 for a grammar school.
1789. c. 68. For Randolph Academy, £1000.
1789. c. 73. For Fauquier Academy, £500.
c. 74. For the Fredericksburg Academy, £4000.
1790. c. 46. For the Transylvania Seminary, £500.
For the Southampton Academy, £300.
1796. c. 82. For the New London Academy.
1803. c. 49. For the Fredericksburg Charity School.
c. 50. For finishing the Strasburg Seminary.
c. 58. For William and Mary College.
c. 62. For the Bannister Academy.
c. 79. For the Belfield Academy. *
c. 82. For the Petersburg Academy.
1804. c. 40. For the Hotsprings Seminary.
c. 76. For the Stevensburg Academy.
c. 100. For William and Mary College.
1805. c. 24. For the Rumford Academy.
1812. c. 10. For the Literary Fund. To sell the privilege for 30,000 dollars annually, for seven years.
1816. c. 80. For Norfolk Academy, 12,000 dollars.
Norfolk Female Society, 2000 dollars.
Lancastrian School, 6000 dollars.

3. The next object of lotteries has been rivers.

1790. c. 46. For a bridge between Gosport and Portsmouth, £400.
1796. c. 83. For clearing Roanoke River.
1804. c. 62. For clearing Quantico Creek.
1805. c. 42. For a toll bridge over Cheat River.
1816. c. 49. For the Dismal Swamp, 50,000 dollars.

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* The acts not being at hand, the sums allowed are not known.

4. For roads.

1790. c. 46. For a road to Warminster, £200.
For cutting a road from Rockfish gap to Scott's and Nicholas's landing, £400.
1796. c. 85. To repair certain roads.
1803. c. 60. For improving roads to Snigger's and Ashby's gaps.
c. 61. For opening a road to Brock's gap.
c. 65. For opening a road from the town of Monroe to Sweet Springs and Lewisburg.
c. 71. For improving the road to Brock's gap.
1805. c. 5. For improving the road to Clarksburg.
c. 26. For opening a road from Monongalia Glades to Fishing Creek.
1813. c. 44. For opening a road from Thornton's gap.

5. Lotteries for the benefit of counties.

1796. c. 78. To authorize a lottery in the county of Shenandoah.
c. 84. To authorize a lottery in the county of Gloucester.

6. Lotteries for the benefit of towns.

1782. c. 31. Richmond, for a bridge over Shockoe, amount not limited.
1789. c. 75. Alexandria, to pave its streets, £1500.
1790. c. 46. do. do. £5000.
1796. c. 79. Norfolk, one or more lotteries authorized.
c. 81. Petersburg, a lottery authorized.
1803. c. 12. Woodstock, do.
c. 48. Fredericksburg, for improving its main street.
c. 73. Harrisonburg, for improving its streets.

7. Lotteries for religious congregations.

1785. c. 111. Completing a church in Winchester.
For rebuilding a church in the parish of Elizabeth River.
1791. c. 69. For the benefit of the Episcopal society.
1790. c. 46. For building a church in Warminster, £200.
in Halifax, £200.
in Alexandria, £500.
in Petersburg, £750.
in Shepherdstown, £250.

8. Lotteries for private societies.

1790. c. 46. For the Amicable Society in Richmond, £1000.
1791. c. 70. For building a Freemason's hall in Charlotte, £750.

9. Lotteries for the benefit of private individuals. [To raise money for them.]

1796. c. 80. For the sufferers by fire in the town of Lexington.
1781. c. 6. For completing titles under Byrd's lottery.
1790. c. 46. To erect a paper mill in Staunton, £300.
To raise £2000 for Nathaniel Twining.
1791. c. 73. To raise £4000 for William Tatham, to enable him to complete his geographical work.
To enable ——— to complete a literary work.*

We have seen, then, that every vocation in life is subject to the influence of chance; that so far from being rendered immoral by the admixture of that ingredient, were they abandoned on that account, man could no longer subsist; that, among them, every one has a natural right to choose that which he thinks most likely to give him comfortable subsistence; but that while the greater number of these pursuits are productive of something which adds to the necessaries and comforts of life, others again, such as cards, dice, &c., are entirely unproductive, doing good to none, injury to many, yet so easy, and so seducing in practice to men of a certain constitution of mind, that they cannot resist the temptation, be the consequences what they may; that in this case, as in those of insanity, idiocy, infancy, &c., it is the duty of society to take them under its protection, even against their own acts, and to restrain their right of choice of these pursuits, by suppressing them entirely; that there are others, as lotteries particularly, which, although liable to chance also, are useful for many purposes, and are therefore retained and placed under the discretion of the legislature, to be permitted or refused according to the circumstances of every special case, of which they are to judge: that between the years 1782 and 1820, a space of thirty-eight years only, we have observed seventy cases, where the permission of them has been found useful by the legislature, some of which are in progress at this time. These cases relate to the emolument of the whole State, to local benefits of education, of navigation, of roads, of counties, towns, religious assemblies, private societies, and of individuals under particular circumstances, which may claim indulgence or favour. The latter is the case now submitted to the legislature, and the question is, whether the individual soliciting their attention, or his situation, may merit that degree of consideration, which will justify the legislature in permitting him to avail himself of the mode of selling by lottery, for the purpose of paying his debts.

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* I found such an act, but not noting it at the time, I have not been able to find it again. But there is such an one.

That a fair price cannot be obtained by sale in the ordinary way, and in the present depressed state of agricultural industry, is well known. Lands in this State will not now sell for more than a third or fourth of what they would have brought a few years ago, perhaps at the very time of the contraction of the debts for which they are now to be sold. The low price in foreign markets, for a series of years past, of agricultural produce, of wheat generally, of tobacco most commonly, and the accumulation of duties on the articles of consumption not produced within our State, not only disable the farmer or planter from adding to his farm by purchase, but reduces him to sell his own, and remove to the western country, glutting the market he leaves, while he lessens the number of bidders. To be protected against this sacrifice is the object of the present application, and whether the applicant has any particular claim to this protection, is the present question.

Here the answer must be left to others. It is not for me to give it. I may, however, more readily than others, suggest the offices in which I have served. I came of age in 1764, and was soon put into the nomination of justices of the county in which I live, and at the first election following I became one of its representatives in the legislature.

I was thence sent to the old Congress.

Then employed two years, with Mr. Pendleton and Mr. Wythe, on the revisal and reduction to a single code of the whole body of the British statutes, the acts of our Assembly, and certain parts of the common law.

Then elected Governor.

Next to the legislature, and to Congress again.

Sent to Europe as Minister Plenipotentiary.

Appointed Secretary of State to the new government.

Elected Vice President, and

President. And lastly, a Visitor and Rector of the University. In these different offices, with scarcely any interval between them, I have been in the public service now sixty-one years; and, during the far greater part of the time, in foreign countries, or in other States. Every one knows how inevitably a Virginia estate goes to ruin, when the owner is so far distant as to be unable to pay attention to it himself; and the more especially, when the line of his employment is of a character to abstract and alienate his mind entirely from the knowledge necessary to good, and even to saving management.

If it were thought worth while to specify any particular services rendered, I would refer to the specification of them made by the legislature itself in their Farewell Address, on my retiring from the Presidency, February, 1809. [This will be found in 2. Pleasant's Collection, page 144.] There is one, however, not therein specified, the most important in its consequences, of any transaction in any portion of my life; to wit, the head I personally made against the federal principles and proceedings, during the administration of Mr. Adams. Their usurpations and violations of the constitution at that period, and their majority in both Houses of Congress, were so great, so decided, and so daring, that after combating their aggressions, inch by inch, without being able in the least to check their career, the republican leaders thought it would be best for them to give up their useless efforts there, go home, get into their respective legislatures, embody whatever of resistance they could be formed into, and if ineffectual, to perish there as in the last ditch. All, therefore, retired, leaving Mr. Gallatin alone in the House of Representatives, and myself in the Senate, where I then presided as Vice President. Remaining at our posts, and bidding defiance to the browbeatings and insults by which they endeavoured to drive us off also, we kept the mass of republicans in phalanx together, until the legislatures could be brought up to the charge; and nothing on earth is more certain, than that if myself particularly, placed by my office of Vice President at the head of the republicans, had given way and withdrawn from my post, the republicans throughout the Union would have given up in despair, and the cause would have been lost for ever. By holding on, we obtained time for the legislatures to come up with their weight; and those of Virginia and Kentucky particularly, but more especially the former, by their celebrated resolutions, saved the constitution at its last gasp. No person who was not a witness of the scenes of that gloomy period, can form any idea of the afflicting persecutions, and personal indignities we had to brook. They saved our country, however. The spirits of the people were so much subdued and reduced to despair by the X. Y. Z. imposture, and other stratagems and machinations, that they would have sunk into apathy and monarchy, as the only form of government which could maintain itself.

If legislative services are worth mentioning, and the stamp of liberality and equality, which was necessary to be impressed on our laws in the first crisis of our birth as a nation, was of any value, they will find that the leading and most important laws of that day were prepared by myself, and carried chiefly by my efforts; supported, indeed, by able and faithful coadjutors from the ranks of the House, very effective as seconds, but who would not have taken the field as leaders.

The prohibition of the further importation of slaves, was the first of these measures in time.

This was followed by the abolition of entails, which broke up the hereditary and high handed aristocracy, which, by accumulating immense masses of property in single lines of families, had divided our country into two distinct orders, of nobles and plebeians.

But further to complete the equality among our citizens, so essential to the maintenance of republican government, it was necessary to abolish the principle of primogeniture. I drew the law of descents, giving equal inheritance to sons and daughters, which made a part of the revised code.

The attack on the establishment of a dominant religion was first made by myself. It could be carried at first only by a suspension of salaries for one year, by battling it again at the next session for another year, and so from year to year, until the public mind was ripened for the bill for establishing religious freedom, which I had prepared for the revised code also. This was at length established permanently, and by the efforts chiefly of Mr. Madison, being myself in Europe at the time that work was brought forward.

To these particular services, I think I might add the establishment of our University, as principally my work, acknowledging at the same time, as I do, the great assistance received from my able colleagues of the Visitation. But my residence in the vicinity threw, of course, on me the chief burthen of the enterprize, as well of the buildings, as of the general organization and care of the whole. The effect of this institution on the future fame, fortune, and prosperity of our country, can as yet be seen but at a distance. But a hundred well educated youths, which it will turn out annually, and ere long will fill all its offices with men of superior qualifications, and raise it from its humble state to an eminence among its associates which it has never yet known; no, not in its brightest days. That institution is now qualified to raise its youth to an order of science unequalled in any other State; and this superiority will be the greater from the free range of mind encouraged there, and the restraint imposed at other seminaries by the shackles of a domineering hierarchy, and a bigoted adhesion to antient habits. Those now on the theatre of affairs will enjoy the ineffable happiness, of seeing themselves succeeded by sons of a grade of science beyond their own ken. Our sister States will also be repairing to the same fountains of instruction, will bring hither their genius to be kindled at our fire, and will carry back the fraternal affections which, nourished by the same *alma mater*, will knit us to them by the indissoluble bonds of early personal friendships. The good Old Dominion, the blessed mother of us all, will then raise her head with pride among the nations, will present to them that splendour of genius which she has ever possessed, but has too long suffered to rest uncultivated and unknown, and will become a centre of ralliance to the States whose youths she has instructed, and, as it were, adopted.

I claim some share in the merits of this great work of regeneration. My whole labours, now for many years, have been devoted to it, and I stand pledged to follow it up through the remnant of life remaining to me. And what remuneration do I ask? Money from the treasury? Not a cent. I ask nothing from the earnings or labours of my fellow citizens. I wish no man's comforts to be abridged for the enlargement of mine. For the services rendered on all occasions, I have been always paid to my full satisfaction. I never wished a dollar more than what the law had fixed on. My request is, only to be permitted to sell my own property freely to pay my own debts. To *sell* it, I say, and not to *sacrifice* it, not to have it gobbled up by speculators to make fortunes for themselves, leaving unpaid those who have trusted to my good faith, and myself without resource in the last and most helpless stage of life. If permitted to sell it in a way which will bring me a fair price, all will be honestly and honourably paid, and a competence left for myself, and for those who look to me for subsistence. To sell it in a way which will offend no moral principle, and expose none to risk but the willing, and those wishing to be permitted to take the chance of gain. To give me, in short, that permission which you often allow to others for purposes not more moral.

Will it be objected, that, although not evil in itself, it may, as a precedent, lead to evil? But let those who shall quote

the precedent bring their case within the same measure. Have they, as in this case, devoted three score years and one of their lives, uninterruptedly, to the service of their country? Have the times of those services been as trying as those which have embraced our revolution, our transition from a colonial to a free structure of government? Have the stations of their trial been of equal importance? Has the share they have borne in holding their new government to its genuine principles, been equally marked? And has the cause of the distress, against which they seek a remedy, proceeded, not merely from themselves, but from errors of the public authorities, disordering the circulating medium, over which they had no control, and which have, in fact, doubled and trebled debts, by reducing, in that proportion, the value of the property which was to pay them? If all these circumstances, which characterize the present case, have taken place in theirs also, then follow the precedent. Be assured, the cases will be so rare as to produce no embarrassment, as never to settle into an injurious habit. The single feature of a sixty years' service, as no other instance of it has yet occurred in our country, so it probably never may again. And should it occur, even once and again, it will not impoverish your treasury, as it takes nothing from that, and asks but a simple permission, by an act of natural right, to do one of moral justice.

In the 'Thoughts on Lotteries,' the following paper is referred to. It is here copied, to spare the trouble of seeking for the book.

Farewell Address to Th. Jefferson, President of the United States.

[Agreed to by both Houses, February 7, 1809.]

Sir,

The General Assembly of your native State cannot close their session, without acknowledging your services in the office which you are just about to lay down, and bidding you a respectful and affectionate farewell.

We have to thank you for the model of an administration conducted on the purest principles of republicanism; for pomp and state laid aside; patronage discarded; internal taxes abolished; a host of superfluous officers disbanded; the monarchic maxim, 'that a national debt is a national blessing,' renounced, and more than thirty-three millions of our debt discharged; the native right to nearly one hundred millions of acres of our national domain extinguished; and, without the guilt or calamities of conquest, a vast and fertile region added to our country, far more extensive than her original possessions, bringing along with it the Mississippi and the port of Orleans, the trade of the west to the Pacific ocean, and, in the intrinsic value of the land itself, a source of permanent and almost inexhaustible revenue. These are points in your administration which the historian will not fail to seize, to expand and teach posterity to dwell upon with delight. Nor will he forget our peace with the civilized world, preserved through a season of uncommon difficulty and trial; the good will cultivated with the unfortunate aborigines of our country, and the civilization humanely extended among them; the lesson taught the inhabitants of the coast of Barbary, that we have the means of chastising their piratical encroachments, and awing them into justice; and that theme, on which, above all others, the historic genius will hang with rapture, the liberty of speech and of the press preserved inviolate, without which genius and science are given to man in vain.

In the principles on which you have administered the government, we see only the continuation and maturity of the same virtues and abilities, which drew upon you in your youth the resentment of Dunmore. From the first brilliant and happy moment of your resistance to foreign tyranny, until the present day, we mark with pleasure and with gratitude the same uniform, consistent character, the same warm and devoted attachment to liberty and the republic, the same Roman love of your country, her rights, her peace, her honour, her prosecprity.

How blessed will be the retirement into which you are about to go! How deservedly blessed will it be! For you carry with you the richest of all rewards, the recollection of a life well spent in the service of your country, and proofs the most decisive, of the love, the gratitude, the veneration of your countrymen.

That your retirement may be as happy as your life has been virtuous and useful; that our youth may see in the blissful close of your days, an additional inducement to form themselves on your model, is the devout and earnest prayer of your fellow citizens who compose the General Assembly of Virginia.

TO JOHN QUINCY ADAMS.

Monticello, March 30, 1826.

Dear Sir,

I am thankful for the very interesting message and documents of which you have been so kind as to send me a copy and will state my recollections as to the particular passage o the message to which you ask my attention. On the conclusion of peace, Congress, sensible of their right to assume independence, would not condescend to ask its acknowledgmen from other nations, yet were willing, by some of the ordinar international transactions, to receive what would imply tha acknowledgment. They appointed commissioners, therefor to propose treaties of commerce to the principal nations o Europe. I was then a member of Congress, was of the committee appointed to prepare instructions for the commissioner was, as you suppose, the draughtsman of those actually agree to, and was joined with your father and Doctor Franklin t carry them into execution. But the stipulations making par of these instructions, which respected privateering, blockades contraband, and freedom of the fisheries, were not origina conceptions of mine. They had before been suggested b Doctor Franklin, in some of his papers in possession of th public, and had, I think, been recommended in some letter o his to Congress. I happen only to have been the inserter o them in the first public act which gave the formal sanction of public authority. We accordingly proposed our treaties, containing these stipulations, to the principal governments o Europe. But we were then just emerged from a subordinat condition; the nations had as yet known nothing of us, an had not yet reflected on the relations which it might be thei interest to establish with us. Most of them, therefore, listened to our propositions with coyness and reserve; old Frederic alone closing with us without hesitation. The negociator of Portugal, indeed, signed a treaty with us which hi government did not ratify, and Tuscany was near a fina agreement. Becoming sensible, however, ourselves, that w should do nothing with the greater powers, we thought i better not to hamper our country with engagements to thos of less insignificance, and suffered our powers to expire withou closing any other negociation. Austria soon after becam desirous of a treaty with us, and her ambassador pressed i often on me; but our commerce with her being no object, I evaded her repeated invitations. Had these governments been then apprised of the station we should so soon occupy among nations, all, I believe, would have met us promptly and with frankness. These principles would then have been established with all, and from being the conventional law with us alone, would have slid into their engagements with one another, and become general. These are the facts within my recollection. They have not yet got into written history; but their adoption by our southern brethren will bring them into observance, and make them, what they should be, a part of the law of the world, and of the reformation of principles for which they will be indebted to us. I pray you to accept the homage of my friendly and high consideration.

Th. Jefferson.

TO MR. WEIGHTMAN.

Monticello, June 24, 1826.

Respected Sir,

The kind invitation I receive from you, on the part of the citizens of the city of Washington, to be present with them at their celebration on the fiftieth anniversary of American Independence, as one of the surviving signers of an instrument pregnant with our own, and the fate of the world, is most flattering to myself, and heightened by the honourable acccompaniment proposed for the comfort of such a journey. It adds sensibly to the sufferings of sickness, to be deprived by it of a personal participation in the rejoicings of that day. But acquiescence is a duty, under circumstances not placed among those we are permitted to control. I should, indeed, with peculiar delight, have met and exchanged there congratulations personally with the small band, the remnant of that host of worthies, who joined with us on that day, in the bold and doubtful election we were to make for our country, between submission or the sword; and to have enjoyed with them the consolatory fact, that our fellow citizens, after half a century of experience and prosperity, continue to approve the choice we made. May it be to the world, what I believe it will be, (to some parts sooner, to others later, but finally to all,) the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favoured few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day, for ever refresh our recollections of these rights, and an undiminished devotion to them.

I will ask permission here to express the pleasure with which I should have met my antient neighbours of the city of Washington and its vicinities, with whom I passed so many years of a pleasing social intercourse; an intercourse which so much relieved the anxieties of the public cares, and left impressions so deeply engraved in my affections, as never to be forgotten. With my regret that ill health forbids me the gratification of an acceptance, be pleased to receive for yourself, and those for whom you write, the assurance of my highest respect and friendly attachments.

Th. Jefferson.

ANAS.

Explanation of the three volumes bound in marbled paper.[*]

In these three volumes will be found copies of the official opinions given in writing by me to General Washington, while I was Secretary of State, with sometimes the documents belonging to the case. Some of these are the rough draughts, some press copies, some fair ones. In the earlier part of my acting in that office, I took no other note of the passing transactions: but after a while, I saw the importance of doing it, in aid of my memory. Very often, therefore, I made memorandums on loose scraps of paper, taken out of my pocket in the moment, and laid by to be copied fair at leisure, which, however, they hardly ever were. These scraps, therefore, ragged, rubbed, and scribbled as they were, I had bound with the others by a binder who came into my cabinet, did it under my own eye, and without the opportunity of reading a single paper. At this day, after the lapse of twenty-five years, or more, from their dates, I have given to the whole a calm revisal, when the passions of the time are passed away, and the reasons of the transactions act alone on the judgment. Some of the informations I had recorded, are now cut out from the rest, because I have seen that they were incorrect, or doubtful, or merely personal or private, with which we have nothing to do. I should perhaps have thought the rest not worth preserving, but for their testimony against the only history of that period, which pretends to have been compiled from authentic and unpublished documents. * *

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[* These are the volumes containing the ANAS to the time that the Author retired from the office of Secretary of State. The official opinions and documents referred to, being very voluminous, are for the most part omitted, to make room for the conversations which the same volumes comprise.]

But a short review of facts * * * * * will shew, that the co tests of that day were contests of principle, between the adv cates of republican, and those of kingly government, and th had not the former made the efforts they did, our governme would have been, even at this early day, a very different thin from what the successful issue of those efforts have made it.

The alliance between the States under the old Articles Confederation, for the purpose of joint defence against th aggressions of Great Britian, was found insufficient, as tre ties of alliance generally are, to enforce compliance with the mutual stipulations: and these, once fulfilled, that bond w to expire of itself, and each State to become sovereign and i dependent in all things. Yet, it could not but occur to eve one, that these separate independencies, like the petty States Greece, would be eternally at war with each other, an would become at length the mere partisans and satellites the leading powers of Europe. All then, must have looke forward to some further bond of union, which would insu internal peace, and a political system of our own, independe of that of Europe. Whether all should be consolidated int a single government, or each remain independent as to intern matters, and the whole form a single nation as to what w foreign only, and whether that national government should b a monarchy or republic, would of course divide opinion according to the constitutions, the habits, and the circum stances of each individual. Some officers of the army, as i has always been said and believed, (and Steuben and Kno have ever been named as the leading agents,) trained t monarchy by military habits, are understood to have propose to General Washington, to decide this great question by th army before its disbandment, and to assume himself th crown, on the assurance of their support. The indignatio with which he is said to have scouted this parricide propo sition, was equally worthy of his virtue and wisdom. Th next effort was, (on suggestion of the same individuals, in th moment of their separation,) the establishment of an here ditary order, under the name of the Cincinnati, ready prepare by that distinction to be ingrafted into the future frame o government, and placing General Washington still at thei head. The General wrote to me on this subject, while I wa in Congress at Annapolis, and an extract from my letter i inserted in 5th Marshall's history, page 28. He afterward called on me at that place, on his way to a meeting of the society, and after a whole evening of consultation, he lef that place fully determined to use all his endeavours for it total suppression. But he found it so firmly riveted in the affections of the members, that, strengthened as they happened to be by an adventitious occurrence of the moment, he could effect no more than the abolition of its hereditary principle. He called again on his return, and explained to me fully the opposition which had been made, the effect of the occurrence from France, and the difficulty with which its duration had been limited to the lives of the present members. Further details will be found among my papers, in his and my letters, and some in the *Encyclopédie Méthodique et Dictionnaire d'Economie Politique*, communicated by myself to M. Meusnier, its author, who had made the establishment of this society the ground, in that work, of a libel on our country.

The want of some authority which should procure justice to the public creditors, and an observance of treaties with foreign nations, produced, some time after, the call of a convention of the States at Annapolis. Although, at this meeting, a difference of opinion was evident on the question of a republican or kingly government, yet, so general through the States was the sentiment in favour of the former, that the friends of the latter confined themselves to a course of obstruction only, and delay, to every thing proposed: they hoped, that nothing being done, and all things going from bad to worse, a kingly government might be usurped, and submitted to by the people, as better than anarchy and wars internal and external, the certain consequences of the present want of a general government. The effect of their manœuvres, with the defective attendance of Deputies from the States, resulted in the measure of calling a more general convention, to be held at Philadelphia. At this, the same party exhibited the same practices, and with the same views of preventing a government of concord, which they foresaw would be republican, and of forcing through anarchy their way to monarchy. But the mass of that convention was too honest, too wise, and too steady, to be baffled and misled by their manœuvres. One of these was a form of government proposed by Colonel Hamilton, which would have been in fact a compromise between the two parties of royalism and republicanism. According to this, the executive and one branch of the legislature were to be during good behaviour, i. e. for life, and the governors of the States were to be named by these two permanent organs. This, however, was rejected; on which Hamilton left the convention, as desperate, and never returned again until near its final conclusion. These opinions and efforts, secret or avowed, of the advocates for monarchy, had begotten great jealousy through the States generally; and this jealousy it was which excited the strong opposition to the conventional constitution; a jealousy which yielded at last only to a general determination to establish certain amendments, as barriers against a government either monarchical or consolidated. In what passed through the whole period of these conventions, I have gone on the information of those who were members of them, being absent myself on my mission to France.

I returned from that mission in the first year of the new government, having landed in Virginia in December, 1789, and proceeded to New York in March, 1790, to enter on the office of Secretary of State. Here, certainly, I found a state of things which, of all I had ever contemplated, I the least expected. I had left France in the first year of her revolution, in the fervour of natural rights, and zeal for reformation. My conscientious devotion to these rights could not be heightened, but it had been aroused and excited by daily exercise. The President received me cordially, and my colleagues and the circle of principal citizens, apparently with welcome. The courtesies of dinner parties given me, as a stranger newly arrived among them, placed me at once in their familiar society: but I cannot describe the wonder and mortification with which the table conversations filled me. Politics were the chief topic, and a preference of kingly over republican government was evidently the favourite sentiment. An apostate I could not be, nor yet a hypocrite; and I found myself, for the most part, the only advocate on the republican side of the question, unless among the guests there chanced to be some member of that party from the legislative Houses. Hamilton's financial system had then passed. It had two objects; 1st. as a puzzle, to exclude popular understanding and inquiry; 2nd. as a machine for the corruption of the legislature; for he avowed the opinion, that man could be governed by one of two motives only, force or interest: force, he observed, in this country, was out of the question, and the interests, therefore, of the members must be laid hold of, to keep the legislature in unison with the executive; and with grief and shame it must be acknowledged that his machine was not without effect; that even in this, the birth of our government, some members were found sordid enough to bend their duty to their interests, and to look after personal rather than public good.

It it well known that during the war, the greatest difficulty we encountered was the want of money or means to pay our soldiers who fought, or our farmers, manufacturers, and merchants, who furnished the necessary supplies of food and clothing for them. After the expedient of paper money had exhausted itself, certificates of debt were given to the individual creditors, with assurance of payment so soon as the United States should be able. But the distresses of these people often obliged them to part with these for the half, the fifth, and even a tenth of their value; and speculators had made a trade of cozening them from the holders, by the most fraudulent practices, and persuasions that they would never be paid. In the bill for funding and paying these, Hamilton made no difference between the original holders, and the fraudulent purchasers of this paper. Great and just repugnance arose at putting these two classes of creditors on the same footing, and great exertions were used to pay the former the full value, and to the latter, the price only which they had paid, with interest. But this would have prevented the game which was to be played, and for which the minds of greedy members were already tutored and prepared. When the trial of strength, on these several efforts, had indicated the form in which the bill would finally pass, this being known within doors sooner than without, and especially, than to those who were in distant parts of the Union, the base scramble began. Couriers and relay horses by land, and swift sailing pilot boats by sea, were flying in all directions. Active partners and agents were associated and employed in every State, town, and country neighbourhood, and this paper was bought up at five shillings, and even as low as two shillings in the pound, before the holder knew that Congress had already provided for its redemption at par. Immense sums were thus filched from the poor and ignorant, and fortunes accumulated by those who had themselves been poor enough before. Men thus enriched by the dexterity of a leader, would follow of course the chief who was leading them to fortune, and become the zealous instruments of all his enterprises.

This game was over, and another was on the carpet at the moment of my arrival; and to this I was most ignorantly and innocently made to hold the candle. This fiscal manœuvre is well known by the name of the Assumption. Independently of the debts of Congress, the States had during the war contracted separate and heavy debts; and Massachusetts particularly, in an absurd attempt, absurdly conducted, on the British post of Penobscott: and the more debt Hamilton could rake up, the more plunder for his mercenaries. This money, whether wisely or foolishly spent, was pretended to have been spent for general purposes, and ought, therefore, to be paid from the general purse. But it was objected, that nobody knew what these debts were, what their amount, or what their proofs. No matter; we will guess them to be twenty millions. But of these twenty millions, we do not know how much should be reimbursed to one State, or how much to another. No matter; we will guess. And so another scramble was set on foot among the several States, and some got much, some little, some nothing. But the main object was obtained, the phalanx of the Treasury was reinforced by additional recruits. This measure produced the most bitter and angry contests ever known in Congress, before or since the Union of the States. I arrived in the midst of it. But a stranger to the ground, a stranger to the actors on it, so long absent as to have lost all familiarity with the subject, and as yet unaware of its object, I took no concern in it. The great and trying question, however, was lost in the House of Representatives. So high were the feuds excited by this subject, that on its rejection business was suspended. Congress met and adjourned from day to day without doing any thing, the parties being too much out of temper to do business together. The eastern members particularly, who, with Smith from South Carolina, were the principal gamblers in these scenes, threatened a secession and dissolution. Hamilton was in despair. As I was going to the President's one day, I met him in the street. He walked me backwards and forwards before the President's door for half an hour. He painted pathetically the temper into which the legislature had been wrought; the disgust of those who were called the creditor States; the danger of the *secession* of their members, and the separation of the States. He observed that the members of the administration ought to act in concert; that though this question was not of my department, yet a common duty should make it a common concern; that the President was the centre on which all administrative questions ultimately rested, and that all of us should rally around him, and support with joint efforts, measures approved by him; and that the question having been lost by a small majority only, it was probable that an appeal from me to the judgment and discretion of some of my friends, might effect a change in the vote, and the machine of government, now suspended, might be again set into motion. I told him that I was really a stranger to the whole subject; that not having yet informed myself of the system of finance adopted, I knew not how far this was a necessary sequence;

that undoubtedly, if its rejection endangered a dissolution of our Union at this incipient stage, I should deem that the most unfortunate of all consequences, to avert which all partial and temporary evils should be yielded. I proposed to him, however, to dine with me the next day, and I would invite another friend or two, bring them into conference together, and I thought it impossible that reasonable men, consulting together coolly, could fail, by some mutual sacrifices of opinion, to form a compromise which was to save the Union. The discussion took place. I could take no part in it but an exhortatory one, because I was a stranger to the circumstances which should govern it. But it was finally agreed, that whatever importance had been attached to the rejection of this proposition, the preservation of the Union and of concord among the States was more important, and that therefore it would be better that the vote of rejection should be rescinded, to effect which, some members should change their votes. But it was observed, that this pill would be peculiarly bitter to the southern States, and that some concomitant measure should be adopted, to sweeten it a little to them. There had before been propositions to fix the seat of government either at Philadelphia, or at Georgetown on the Potomac; and it was thought that by giving it to Philadelphia for ten years, and to Georgetown permanently afterwards, this might, as an anodyne, calm in some degree the ferment which might be excited by the other measure alone. So two of the Potomac members (White and Lee, but White with a revulsion of stomach almost convulsive) agreed to change their votes, and Hamilton undertook to carry the other point. In doing this, the influence he had established over the eastern members, with the agency of Robert Morris with those of the middle States, effected his side of the engagement; and so the Assumption was passed, and twenty millions of stock divided among favoured States, and thrown in as a pabulum to the stock-jobbing herd. This added to the number of votaries to the Treasury, and made its chief the master of every vote in the legislature, which might give to the government the direction suited to his political views.

I know well, and so must be understood, that nothing like a majority in Congress had yielded to this corruption. Far from it. But a division, not very unequal, had already taken place in the honest part of that body, between the parties styled republican and federal. The latter being monarchists in principle, adhered to Hamilton of course, as their leader in that principle, and this mercenary phalanx added to them, insured him always a majority in both Houses: so that the whole action of the legislature was now under the direction of the Treasury. Still the machine was not complete. The effect of the funding system, and of the Assumption, would be temporary; it would be lost with the loss of the individual members whom it had enriched, and some engine of influence more permanent must be contrived, while these myrmidons were yet in place to carry it through all opposition. This engine was the Bank of the United States. All that history is known, so I shall say nothing about it. While the government remained at Philadelphia, a selection of members of both Houses were constantly kept as directors, who, on every question interesting to that institution, or to the views of the federal head, voted at the will of that head; and, together with the stock-holding members, could always make the federal vote that of the majority. By this combination, legislative expositions were given to the constitution, and all the administrative laws were shaped on the model of England, and so passed. And from this influence we were not relieved, until the removal from the precincts of the bank, to Washington.

Here then was the real ground of the opposition which was made to the course of administration. Its object was to preserve the legislature pure and independent of the executive, to restrain the administration to republican forms and principles, and not permit the constitution to be construed into a monarchy, and to be warped, in practice, into all the principles and pollutions of their favourite English model. Nor was this an opposition to General Washington. He was true to the republican charge confided to him; and has solemnly and repeatedly protested to me, in our conversations, that he would lose the last drop of his blood in support of it; and he did this the oftener and with the more earnestness, because he knew my suspicions of Hamilton's designs against it, and wished to quiet them. For he was not aware of the drift, or of the effect of Hamilton's schemes. Unversed in financial projects, and calculations, and budgets, his approbation of them was bottomed on his confidence in the man.

But Hamilton was not only a monarchist, but for a monarchy bottomed on corruption. In proof of this, I will relate an anecdote, for the truth of which I attest the God who made me. Before the President set out on his southern tour in April, 1791, he addressed a letter of the fourth of that month, from Mount Vernon, to the Secretaries of State, Treasury, and War, desiring that if any serious and important cases should arise during his absence, they would consult and act on them. And he requested that the Vice President should also be consulted. This was the only occasion on which that officer was ever requested to take part in a cabinet question. Some occasion for consultation arising, I invited those gentlemen (and the Attorney General, as well as I remember) to dine with me, in order to confer on the subject. After the cloth was removed, and our question agreed and dismissed, conversation began on other matters, and, by some circumstance, was led to the British constitution, on which Mr. Adams observed, 'Purge that constitution of its corruption, and give to its popular branch equality of representation, and it would be the most perfect constitution ever devised by the wit of man.' Hamilton paused and said, 'Purge it of its corruption, and give to its popular branch equality of representation, and it would become an *impracticable* government: as it stands at present, with all its supposed defects, it is the most perfect government which ever existed.' And this was assuredly the exact line which separated the political creeds of these two gentlemen. The one was for two hereditary branches, and an honest elective one; the other, for an hereditary King, with a House of Lords and Commons, corrupted to his will, and standing between him and the people. Hamilton was, indeed, a singular character. Of acute understanding, disinterested, honest, and honourable, in all private transactions, amiable in society, and duly valuing virtue in private life, yet so bewitched and perverted by the British example, as to be under thorough conviction that corruption was essential to the government of a nation. Mr. Adams had originally been a republican. The glare of royalty and nobility, during his mission to England, had made him believe their fascination a necessary ingredient in government; and Shay's rebellion, not sufficiently understood where he then was, seemed to prove that the absence of want and oppression was not a sufficient guarantee of order. His book on the American constitutions having made known his political bias, he was taken up by the monarchical federalists in his absence, and, on his return to the United States, he was by them made to believe that the general disposition of our citizens was favourable to monarchy. He here wrote his Davila, as a supplement to the former work, and his election to the Presidency confirmed him in his errors. Innumerable addresses too, artfully and industriously poured in upon him, deceived him into a confidence that he was on the pinnacle of popularity, when the gulf was yawning at his feet, which was to swallow up him and his deceivers. For when General Washington was withdrawn, these *energumeni* of royalism, kept in check hitherto by the dread of his honesty, his firmness, his patriotism, and the authority of his name, now mounted on the car of State, and free from control, like Phæton, on that of the Sun, drove headlong and wild, looking neither to right nor left, nor regarding any thing but the objects they were driving at; until, displaying these fully, the eyes of the nation were opened, and a general disbandment of them from the public councils took place.

Mr. Adams, I am sure, has been long since convinced of the treacheries with which he was surrounded during his administration. He has since thoroughly seen, that his constituents were devoted to republican government; and whether his judgment is re-settled on its antient basis, or not, he is conformed as a good citizen to the will of the majority, and would now, I am persuaded, maintain its republican structure with the zeal and fidelity belonging to his character. For even an enemy has said, 'he is always an honest man, and often a great one.' But in the fervour of the fury and follies of those who made him their stalking horse, no man who did not witness it can form an idea of their unbridled madness, and the terrorism with which they surrounded themselves. The horrors of the French revolution, then raging, aided them mainly, and using that as a raw-head-and-bloody-bones, they were enabled by their stratagems of X. Y. Z., in which ******* was a leading mountebank, their tales of tub-plots, ocean massacres, bloody buoys, and pulpit lyings and slanderings, and maniacal ravings of their Gardeners, their Osgoods, and Parishes, to spread alarm into all but the firmest breasts. Their Attorney-General had the impudence to say to a republican member, that deportation must be resorted to, 'of which,' said he, 'you republicans have set the example;' thus daring to identify us with the murderous Jacobins of France. These transactions, now recollected but as dreams of the night, were then sad realities; and nothing rescued us from their liberticide effect, but the unyielding opposition of those firm spirits who sternly maintained their post in defiance of terror, until their fellow citizens could be aroused to their own danger, and rally and rescue the standard of the constitution. This has been happily done. Federalism and monarchism have languished from that moment, until their treasonable combinations with the enemies of their country, during the late war, their plots of dismembering the Union, and their Hartford convention, have consigned them to the tomb of the dead: and I fondly hope, 'we may now truly say, we are all republicans, all federalists,' and that the motto of the standard to which our country will for ever rally, will be, 'federal union, and republican government:' and sure I am, we may say, that we are indebted for the preservation of this point of ralliance, to that opposition of which so injurious an idea is so artfully insinuated and excited in this history.

Much of this relation is notorious to the world; and many intimate proofs of it will be found in these notes. From the moment where they end, of my retiring from the administration, the federalists* got unchecked hold of General Washington. His memory was already sensibly impaired by age, the firm tone of mind for which he had been remarkable, was beginning to relax, its energy was abated, a listlessness of labour, a desire for tranquillity had crept on him, and a willingness to let others act, and even think for him. Like the rest of mankind, he was disgusted with atrocities of the French revolution, and was not sufficiently aware of the difference between the rabble, who were used as instruments of their perpetration, and the steady and rational character of the American people, in which he had not sufficient confidence. The opposition, too, of the republicans to the British treaty, and the zealous support of the federalists in that unpopular but favourite measure of theirs, had made him all their own. Understanding, moreover, that I disapproved of that treaty, and copiously nourished with falsehoods by a malignant neighbour of mine, who ambitioned to be his correspondent, he had become alienated from myself personally, as from the republican body generally of his fellow citizens; and he wrote the letters to Mr. Adams and Mr. Carroll, over which, in devotion to his imperishable fame, we must for ever weep as monuments of mortal decay.

TH. JEFFERSON.

February 4th, 1818.

August the 13th, 1791. Notes of a conversation between Alexander Hamilton and Thomas Jefferson. Th. Jefferson mentioned to him a letter received from John Adams, disavowing Publicola, and denying that he ever entertained a wish to bring this country under an hereditary executive, or introduce an hereditary branch of legislature, &c. See his letter, Alexander Hamilton condemning Mr. Adams's writings, and most particularly Davila, as having a tendency to weaken the present government, declared in substance as follows: 'I own it is my own opinion, though I do not publish it in Dan or Beersheba, that the present government is not that which will answer the ends of society, by giving stability and protection to its rights, and that it will probably be found expedient to go into the British form. However, since we have undertaken the experiment, I am for giving it a fair course, whatever my expectations may be. The success, indeed, so far, is greater than I had expected, and therefore, at present, success seems more possible than it had done heretofore; and there are still other and other stages of improvement which, if the present does not succeed, may be tried, and ought to be tried, before we give up the republican form altogether; for that mind must be really depraved, which would not prefer the equality of political rights, which is the foundation of pure republicanism, if it can be obtained consistently with order. Therefore, whoever by his writings disturbs the present order of things, is really blameable, however pure his intentions may be, and he was sure Mr. Adams's were pure.' This is the substance of a declaration made in much more lengthy terms, and which seemed to be more formal than usual for a private conversation between two, and as if intended to qualify some less guarded expressions which had been dropped on former occasions. Th. Jefferson has committed it to writing in the moment of A. Hamilton's leaving the room.

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* See conversation with General Washington, of October 1, 1792.

December the 25th, 1791. Colonel Gunn (of Georgia) dining the other day with Colonel Hamilton, said to him, with that plain freedom he is known to use, 'I wish, Sir, you would advise your friend King, to observe some kind of consistency in his votes. There has been scarcely a question before the Senate on which he has not voted both ways. On the representation bill, for instance, he first voted for the proposition of the Representatives, and ultimately voted against it.'—'Why,' says Colonel Hamilton, 'I'll tell you as to that, Colonel Gunn, that it never was intended that bill should pass.' Gunn told this to Butler, who told it to Th. Jefferson.

CONVERSATIONS WITH THE PRESIDENT.

February the 28th, 1792. I was to have been with him long enough before three o'clock, (which was the hour and day he received visits,) to have opened to him a proposition for doubling the velocity of the post-riders, who now travel about fifty miles a day, and might, without difficulty, go one hundred, and for taking measures (by way bills) to know where the delay is, when there is any. I was delayed by business, so as to have scarcely time to give him the outlines. I ran over them rapidly, and observed afterwards, that I had hitherto never spoken to him on the subject of the post-office, not knowing whether it was considered as a revenue law, or a law for the general accommodation of the citizens: that the law just passed seemed to have removed the doubt, by declaring that the whole profits of the office should be applied to extending the posts, and that even the past profits should be refunded by the treasury for the same purpose: that I therefore conceived it was now in the department of the Secretary of State: that I thought it would be advantageous so to declare it for another reason, to wit, that the department of the Treasury possessed already such an influence as to swallow up the whole executive powers, and that even the future Presidents (not supported by the weight of character which himself possessed,) would not be able to make head against this department. That in urging this measure I had certainly no personal interest, since, if I was supposed to have any appetite for power, yet as my career would certainly be exactly as short as his own, the intervening time was too short to be an object. My real wish was to avail the public of every occasion, during the residue of the President's period, to place things on a safe footing. He was now called on to attend his company, and he desired me to come and breakfast with him the next morning.

February the 29th. I did so; and after breakfast we retired to his room, and I unfolded my plan for the post-office, and after such an approbation of it as he usually permitted himself on the first presentment of any idea, and desiring me to commit it to writing, he, during that pause of conversation which follows a business closed, said in an affectionate tone, that he had felt much concern at an expression which dropped from me yesterday, and which marked my intention of retirin when he should. That as to himself, many motives oblige him to do it. He had, through the whole course of the war, an most particularly at the close of it, uniformly declared his resolution to retire from public affairs, and never to act in an public office; that he had retired under that firm resolution that the government, however, which had been formed, bein found evidently too inefficacious, and it being supposed tha his aid was of some consequence towards bringing the peopl to consent to one of sufficient efficacy for their own good, h consented to come into the convention, and on the same motive, after much pressing, to take a part in the new government, and get it under way. That were he to continue longer it might give room to say, that having tasted the sweets o office, he could not do without them: that he really felt himself growing old, his bodily health less firm, his memory always bad, becoming worse, and perhaps the other facultie of his mind showing a decay to others of which he was insensible himself; that this apprehension particularly oppresse him; that he found, moreover, his activity lessened, busines therefore more irksome, and tranquillity and retirement become an irresistible passion. That however he felt himsel obliged, for these reasons, to retire from the government, ye he should consider it as unfortunate, if that should bring o the retirement of the great officers of the government, and tha this might produce a shock on the public mind of dangerou consequence.

I told him that no man had ever had less desire of enterin into public offices than myself; that the circumstance of perilous war, which brought every thing into danger, an called for all the services which every citizen could render had induced me to undertake the administration of the government of Virginia; that I had both before and after refuse repeated appointments of Congress to go abroad in that sort o office, which, if I had consulted my own gratification, woul always have been the most agreeable to me; that at the en of two years, I resigned the government of Virginia, and retired with a firm resolution never more to appear in publi life; that a domestic loss, however, happened, and made m fancy that absence and a change of scene for a time might b expedient for me; that I therefore accepted a foreign appointment, limited to two years; that at the close of that, Docto Franklin having left France, I was appointed to supply h place, which I had accepted, and though I continued in i three or four years, it was under the constant idea of remain ing only a year or two longer; that the revolution in France coming on, I had so interested myself in the event of that, that when obliged to bring my family home, I had still an idea of returning and awaiting the close of that, to fix the era of my final retirement; that on my arrival here I found he had appointed me to my present office; that he knew I had not come into it without some reluctance; that it was, on my part, a sacrifice of inclination to the opinion that I might be more serviceable here than in France, and with a firm resolution in my mind, to indulge my constant wish for retirement at no very distant day; that when, therefore, I had received his letter, written from Mount Vernon, on his way to Carolina and Georgia, (April the 1st, 1791,) and discovered, from an expression in that, that he meant to retire from the government ere long, and as to the precise epoch there could be no doubt, my mind was immediately made up, to make that the epoch of my own retirement from those labours of which I was heartily tired. That, however, I did not believe there was any idea in either of my brethren in the administration of retiring; that, on the contrary, I had perceived at a late meeting of the trustees of the sinking fund, that the Secretary of the Treasury had developed the plan he intended to pursue, and that it embraced years in its view.

He said, that he considered the Treasury department as a much more limited one, going only to the single object of revenue, while that of the Secretary of State, embracing nearly all the objects of administration, was much more important, and the retirement of the officer, therefore, would be more noticed; that though the government had set out with a pretty general good will of the public, yet that symptoms of dissatisfaction had lately shewn themselves far beyond what he could have expected, and to what height these might arise, in case of too great a change in the administration, could not be foreseen.

I told him, that in my opinion, there was only a single source of these discontents. Though they had indeed appeared to spread themselves over the War department also, yet I considered that as an overflowing only from the real channel, which would never have taken place, if they had not first been generated in another department, to wit, that of the Treasury. That a system had there been contrived, for deluging the States with paper money instead of gold and silver, for withdrawing our citizens from the pursuits of commerce, manufactures, buildings, and other branches of useful industry, to occupy themselves and their capitals in a species of gambling, destructive of morality, and which had introduced its poison into the government itself. That it was a fact, as certainly known as that he and I were then conversing, that particular members of the legislature, while those laws were on the carpet, had feathered their nests with paper, had then voted for the laws, and constantly since lent all the energy of their talents, and instrumentality of their offices, to the establishment and enlargement of this system; that they had chained it about our necks for a great length of time, and in order to keep the game in their hands, had, from time to time, aided in making such legislative constructions of the constitution, as made it a very different thing from what the people thought they had submitted to; that they had now brought forward a proposition far beyond every one ever yet advanced, and to which the eyes of many were turned, as the decision which was to let us know, whether we live under a limited or an unlimited government. He asked me to what proposition I alluded? I answered, to that in the report on manufactures, which, under colour of giving *bounties* for the encouragement of particular manufactures, meant to establish the doctrine, that the power given by the constitution to collect taxes to provide for the *general welfare* of the United States, permitted Congress to take every thing under their management which *they* should deem for the *public welfare*, and which is susceptible of the application of money; consequently, that the subsequent enumeration of their powers was not the description to which resort must be had, and did not at all constitute the limits of their authority: that this was a very different question from that of the bank, which was thought an incident to an enumerated power: that, therefore, this decision was expected with great anxiety; that, indeed, I hoped the proposition would be rejected, believing there was a majority in both Houses against it, and that if it should be, it would be considered as a proof that things were returning into their true channel: and that, at any rate, I looked forward to the broad representation which would shortly take place, for keeping the general constitution on its true ground; and that this would remove a great deal of the discontent which had shewn itself. The conversation ended with this last topic. It is here stated nearly as much at length as it really was; the expressions preserved where I could recollect them, and their substance always faithfully stated.

TH. JEFFERSON.

March 1, 1792.

On the 2nd of January, 1792, Messrs. Fitzsimmons and Gerry (among others) dined with me. These two staid, with a Mr. Learned, of Connecticut, after the company was gone. We got on the subject of references by the legislature to the heads of departments, considering their mischief in every direction. Gerry and Fitzsimmons clearly opposed to them.

Two days afterwards (January the 4th,) Mr. Bourne, from Rhode Island, presented a memorial from his State, complaining of inequality in the Assumption, and moved to refer it to the Secretary of the Treasury. Fitzsimmons, Gerry, and others opposed it; but it was carried.

January the 19th. Fitzsimmons moved, that the *President of the United States* be requested to direct the Secretary of the Treasury, to lay before the House information to enable the legislature to judge of the additional revenue necessary on the increase of the military establishment. The House, on debate, struck out the words, 'President of the United States.'

March the 7th. The subject resumed. An animated debate took place on the tendency of references to the heads of departments; and it seemed that a great majority would be against it; the House adjourned. Treasury greatly alarmed, and much industry supposed to be used before next morning, when it was brought on again, and debated through the day, and on the question, the Treasury carried it by thirty-one to twenty-seven: but deeply wounded, since it was seen that all Pennsylvania, except Jacobs, voted against the reference; that Tucker of South Carolina voted for it, and Sumpter absented himself, debauched for the moment only, because of the connection of the question with a further Assumption which South Carolina favoured; but shewing that they never were to be counted on among the Treasury votes. Some others absented themselves. Gerry changed sides. On the whole it shewed that Treasury influence was tottering.

Committed to writing this 10th of March, 1792.

March the 11th, 1792. Consulted verbally by the President, on whom a committee of the Senate (Izard, Morris, and King) are to wait to-morrow morning, to know whether he will think it proper to redeem our Algerine captives, and make a treaty with the Algerines, on the single vote of the Senate, without taking that of the Representatives.

My opinions run on the following heads.

We must go to Algiers with cash in our hands. Where shall we get it? By loan? By converting money now in the easury?

Probably a loan might be obtained on the President's autho- y: but as this could not be repad without a subsequent of legislature, the Representatives might refuse it. So if ney in the treasury be converted, they may refuse to sanc- n it.

The subsequent approbation of the Senate being necessary validate a treaty, they expect to be consulted beforehand, he case admits.

So the subsequent act of the Representatives being neces- ary where money is given, why should not they expect to be nsulted in like manner, when the case admits? A treaty is law of the land. Bu [illegible] dence will point out this difference be attended to in m [illegible] m; viz. where a treaty con- ns such articles only [illegible] into execution of themselves, be carried into executi [illegible] he judges, they may be safely ide; but where there [illegible] cles which require a law to be ssed afterwards by th [illegible] ure, great caution is requisite.

For example; the c [illegible] nvention with France required very small legislative [illegible] n. This convention was unanimously ratified by t [illegible] Yet the same identical men threw by the law to enforce it at the last session, and the Representatives at this session have placed it among the laws which they may take up or not, at their own convenience, as if that was a higher motive than the public faith.

Therefore, against hazarding this transaction without the sanction of both Houses.

The President concurred. The Senate express the motive for this proposition, to be a fear that the Representatives would not keep the secret. He has no opinion of the secrecy of the Senate. In this very case, Mr. Izard made the communication to him, sitting next to him at table, on one hand, while a lady (Mrs. McLane) was on his other hand, and the French minister next to her; and as Mr. Izard got on with his communication, his voice kept rising, and his stutter bolting the words out loudly at intervals, so that the minister might hear if he would. He said he had a great mind at one time to have got up, in order to put a stop to Mr. Izard.

March the 11th, 1792. Mr. Sterret tells me, that sitting round a fire the other day with four or five others, Mr. Smith (of South Carolina) was one, somebody mentioned that the murderers of Hogeboom, sheriff of Columbia county, New

York, were acquitted. 'Aye,' says Smith, 'this is what comes of your damned *trial by jury.*'

1791. Towards the latter end of November, Hamilton had drawn Ternant into a conversation on the subject of the treaty of commerce recommended by the National Assembly of France to be negotiated with us, and, as he had no ready instructions on the subject, he led him into a proposal that Ternant should take the thing up as a volunteer with me, that we should arrange conditions, and let them go for confirmation or refusal. Hamilton communicated this to the President, who came into it, and proposed it to me. I disapproved of it, observing, that such a volunteer project would be binding on us, and not them; that it would enable them to find out how far we would go, and avail themselves of it. However, the President thought it worth trying, and I acquiesced. I prepared a plan of treaty for exchanging the privileges of native subjects, and fixing all duties for ever as they now stood. Hamilton did not like this way of fixing the duties, because, he said, many articles here would bear to be raised, and, therefore, he would prepare a tariff. He did so, raising duties for the French, from twenty-five to fifty per cent. So they were to give us the privileges of native subjects, and we, as a compensation, were to make them pay higher duties. Hamilton, having made his arrangements with Hammond to pretend that though he had no powers to conclude a treaty of commerce, yet his general commission authorised him to enter into the discussion of one, then proposed to the President at one of our meetings, that the business should be taken up with Hammond in the same informal way. I now discovered the trap which he had laid, by first getting the President into that step with Ternant. I opposed the thing warmly. Hamilton observed, if we did it with Ternant we should also with Hammond. The President thought this reasonable. I desired him to recollect, I had been against it with Ternant, and only acquiesced under his opinion. So the matter went off as to both. His scheme evidently was, to get us engaged first with Ternant, merely that he might have a pretext to engage us on the same ground with Hammond, taking care, at the same time, by an extravagant tariff, to render it impossible we should come to any conclusion with Ternant: probably meaning, at the same time, to propose terms so favourable to Great Britain as would attach us to that country by treaty. On one of those occasions he asserted, that our commerce with

Great Britain and her colonies was put on a much more favourable footing than with France and her colonies. I therefore prepared the tabular comparative view of the footing of our commerce with those nations, which see among my paper See also my project of a treaty and Hamilton's tariff.

Committed to writing March the 11th, 1792.

It was observable, that whenever, at any of our consultations, any thing was proposed as to Great Britain, Hamilto had constantly ready something which Mr. Hammond ha communicated to him, which suited the subject and prove the intimacy of their communications; insomuch, that I believe he communicated to Hammond all our views and kne from him, in return, the views of the British court. Man evidences of this occurred; I will state some. I delivered t the President my report of instructions for Carmichael an Short, on the subject of navigation, boundary, and commerce and desired him to submit it to Hamilton. Hamilton mad several just criticisms on different parts of it. But where asserted that the United States had no right to alienate an inc of the territory of any State, he attacked and denied the doctrine. See my report, his note, and my answer. A few day after came to hand Kirkland's letter, informing us that th British, at Niagara, expected to run a new line between themselves and us; and the reports of Pond and Stedman, informing us it was understood at Niagara, that Captain Stevenso had been sent here by Simcoe to settle that plan with Hammond. Hence Hamilton's attack of the principle I had lai down, in order to prepare the way for this new line. See minute of March the 9th. Another proof. At one of our consultations, about the last of December, I mentioned that wished to give in my report on commerce, in which I coul not avoid recommending a commercial retaliation against Grea Britain. Hamilton opposed it violently: and among othe arguments, observed, that it was of more importance to us t have the posts than to commence a commercial war; that this, and this alone, would free us from the expense of the India wars; that it would therefore be the height of imprudenc in us, while treating for the surrender of the posts, to engag in any thing which would irritate them; that if we did so they would naturally say, 'These people mean war, let u therefore hold what we have in our hands.' This argumen struck me forcibly, and I said, 'if there is a hope of obtaining the posts, I agree it would be imprudnet to risk that hop by a commercial retaliation. I will, therefore, wait till Mr. Hammond gives me in his assignment of breaches, and if that gives a glimmering of hope that they mean to surrender the posts, I will not give in my report till the next session.' Now, Hammond had received my assignment of breaches on the 15th of December, and about the 22nd or 23rd had made me an apology for not having been able to send me his counter-assignment of breaches; but in terms which shewed I might expect it in a few days. From the moment it escaped my lips in the presence of Hamilton, that I would not give in my report till I should see Hammond's counter-complaint, and judge if there was a hope of the posts, Hammond never said a word to me on any occasion, as to the time he should be ready. At length the President got out of patience, and insisted I should jog him. This I did on the 21st of February, at the President's assembly: he immediately promised I should have it in a few days, and accordingly on the 5th of March I received it.

Written March the 11th, 1792.

March the 12th, 1792. Sent for by the President, and desired to bring the letter he had signed to the King of France. Went. He said the House of Representatives had, on Saturday, taken up the communication he had made of the king's letter to him, and come to a vote in their own name; that he did not expect this when he sent this message and the letter, otherwise he would have sent the message without the letter, as I had proposed. That he apprehended the legislature would be endeavouring to invade the executive. I told him, I had understood the house had resolved to request him to join their congratulations to his on the completion and acceptance of the constitution; on which part of the vote there were only two dissentients (Barnwell and Benson); that the vote was thirty-five to sixteen on that part which expressed an approbation of the wisdom of the constitution; that in the letter he had signed, I had avoided saying a word in approbation of the constitution, not knowing whether the king, in his heart, approved it.' 'Why, indeed,' says he, 'I begin to doubt very much of the affairs of France; there are papers from London as late as the 10th of January, which represent them as going into confusion.' He read over the letter he had signed, found there was not a word which could commit his judgment about the constitution, and gave it to me back again. This is one of many proofs I have had, of his want of confidence in the

event of the French revolution. The fact is, that Gouverneur
Morris, a high flying monarchy man, shutting his eyes and
his faith to every fact against his wishes, and believing every
hing he desires to be true, has kept the President's mind
nstantly poisoned with his forebodings. That the President
shes the revolution may be established, I believe from
eral indications. I remember, when I received the news of
King's flight and capture, I first told him of it at his
embly. I never saw him so much dejected by any event
my life. He expressed clearly, on this occasion, his dis-
robation of the legislature referring things to the heads of
artments.

Written March the 12th.

Eodem die. Ten o'clock, A. M. The preceding was about
e o'clock. The President now sends Lear to me, to ask
at answer he shall give to the committee, and particularly,
ether he shall add to it, that, 'in making the communica-
n, it was not his expectation that the House should give
answer.' I told Mr. Lear, that I thought the House had
ight, independently of legislation, to express sentiments on
er subjects. That when these subjects did not belong to
y other branch particularly, they would publish them by
their own authority; that in the present case, which respected a foreign nation, the President being the organ of our nation with other nations, the House would satisfy their duty, if, instead of a direct communication, they should pass their sentiments through the President: that if expressing a sentiment were really an invasion of the executive power, it was so faint a one, that it would be difficult to demonstrate it to the public, and to a public partial to the French revolution, and not disposed to consider the approbation of it from any quarter as improper. That the Senate, indeed, had given many indications of their wish to invade the executive power: the Representatives had done it in one case, which was indeed mischievous and alarming; that of giving orders to the heads of the executive departments, without consulting the President; but that the late vote for directing the Secretary of the Treasury to report ways and means, though carried, was carried by so small a majority, and with the aid of members so notoriously under a local influence on that question, as to give a hope that the practice would be arrested, and the constitutional course be taken up, of asking the President to have information laid before them. But that in the present instance, it was so far from being clearly an invasion of the

executive, and would be so little approved by the general voice, that I could not advise the President to express any dissatisfaction at the vote of the House; and I gave Lear, in writing, what I thought should be his answers. See it.

March the 31st. A meeting at the President's; present, Thomas Jefferson, Alexander Hamilton, Henry Knox, and Edmond Randolph. The subject was the resolution of the House of Representatives, of March the 27th, to appoint a committee to inquire into the causes of the failure of the late expedition under Major General St. Clair, with the power to call for such persons, papers, and records, as may be necessary to assist their inquiries. The committee had written to Knox for the original letters, instructions, &c. The President had called us to consult, merely because it was the first example, and he wished that so far as it should become a precedent, it should be rightly conducted. He neither acknowledged nor denied, nor even doubted the propriety of what the House were doing, for he had not thought upon it, nor was acquainted with subjects of this kind: he could readily conceive there might be papers of so secret a nature, as that they ought not to be given up. We were not prepared, and wished time to think and inquire.

April the 2nd. Met again at the President's, on the same subject. We had all considered, and were of one mind, first, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would injure the public: consequently were to exercise a discretion. Fourth, that neither the committee nor House had a right to call on the head of a department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President. We had principally consulted the proceedings of the Commons in the case of Sir Robert Walpole, 13 Chandler's Debates. For the first point, see pages 161, 170, 172, 183, 187, 207; for the second, pages 153, 173, 207; for the third, 81, 173, appendix page 44; for the fourth, page, 246. Note: Hamilton agreed with us in all these points, except as to the power of the House to call on heads of departments. He observed, that as to his department, the act constituting it had made it subject to Congress in some points, but he thought himself not so far subject, as to be obliged to produce all the papers they might call for. They might demand secre of a very mischievous nature. [Here I thought he began t fear they would go to examining how far their own membe and other persons in the government had been dabbling i stocks, banks, &c., and that he probably would choose in thi case to deny their power; and, in short, he endeavoured t place himself subject to the House, when the executive shoul propose what he did not like, and subject to the executive when the House should propose any thing disagreeable.] I observed here a difference between the British parliament an our Congress; that the former was a legislature, an inquest and a council (S. C. page 91.) for the king. The latter was by the constitution, a legislature and an inquest, but not council. Finally agreed, to speak separately to the members of the committee, and bring them by persuasion into the right channel. It was agreed in this case, that there was not a paper which might not be properly produced; that copies only should be sent, with an assurance, that if they should desire it, a clerk should attend with the originals to be verified by themselves. The committee were Fitzsimmons, Steele, Mercer, Clarke, Sedgwick, Giles, and Vining.

April the 9th, 1792. The President had wished to redeem our captives at Algiers, and to make a peace with them on paying an annual tribute. The Senate were willing to approve this, but unwilling to have the lower House applied to previously to furnish the money; they wished the President to take the money from the treasury, or open a loan for it. They thought that to consult the Representatives on one occasion, would give them a handle always to claim it, and would let them into a participation of the power of making treaties, which the constitution had given exclusively to the President and Senate. They said, too, that if the particular sum was voted by the Representatives, it would not be a secret. The President had no confidence in the secrecy of the Senate, and did not choose to take money from the treasury, or to borrow. But he agreed he would enter into provisional treaties with the Algerines, not to be binding on us till ratified here. I prepared questions for consultation with the Senate, and added, that the Senate were to be apprised, that on the return of the provisional treaty, and after they should advise the ratification, he would not have the seal put to it till the two Houses should vote the money. He asked me, if the treaty stipulating a sum and ratified by him, with the advice of the Senate, would not be good under the constitution, and obligatory on the Representatives to furnish the money? I answered, it certainly would, and that it would be the duty of the Representatives to raise the money; but that they might decline to do what was their duty, and I thought it might be incautious to commit himself by a ratification with a foreign nation, where he might be left in the lurch in the execution: it was possible, too, to conceive a treaty, which it would not be their duty to provide for. He said that he did not like throwing too much into democratic hands, that if they would not do what the constitution called on them to do, the government would be at an end, and must *then assume another form*. He stopped here; and I kept silence to see whether he would say any thing more in the same line, or add any qualifying expression to soften what he had said: but he did neither.

I had observed, that wherever the agency of either, or both Houses would be requisite subsequent to a treaty, to carry it into effect, it would be prudent to consult them previously, if the occasion admitted. That thus it was, we were in the habit of consulting the Senate previously, when the occasion permitted, because their subsequent ratification would be necessary. That there was the same reason for consulting the lower House previously, where they were to be called on afterwards, and especially in the case of money, as they held the purse-strings, and would be jealous of them. However, he desired me to strike out the intimation that the seal would not be put till both Houses should have voted the money.

April the 6th. The President called on me before breakfast, and first introduced some other matter, then fell on the representation bill, which he had now in his possession for the tenth day. I had before given him my opinion in writing, that the method of apportionment was contrary to the constitution. He agreed that it was contrary to the common understanding of that instrument, and to what was understood at the time by the makers of it: that yet it would bear the construction which the bill put, and he observed, that the vote for and against the bill was perfectly geographical, a northern against a southern vote, and he feared he should be thought to be taking side with a southern party. I admitted the motive of delicacy, but that it should not induce him to do wrong: urged the dangers to which the scramble for the fractionary members would always lead. He here expressed his fear that there would, ere long, be a separation of the Union; that the public mind seemed dissatisfied and tending to this. He went home, sent for Randolph, the Attorney General, desired him to get Mr. Madison imm diately and come to me, and if we three concurred in opinio that he should negative the bill, he desired to hear nothin more about it, but that we would draw the instrument for hi to sign. They came. Our minds had been before made u We drew the instrument. Randolph carried it to him, an told him we all concurred it it. He walked with him to th door, and, as if he still wished to get off, he said, 'An you say you approve of this yourself?'—'Yes, Sir,' sai Randolph, 'I do, upon my honour.' He sent it to the Hous of Representatives instantly. A few of the hottest friends o the bill expressed passion, but the majority were satisfied, an both in and out of doors it gave pleasure to have, at length an instance of the negative being exercised.

Written this the 9th of April.

July the 10th, 1792. My letter of —— to the President directed to him at Mount Vernon, had not found him ther but came to him here. He told me of this, and that h would take an occasion of speaking with me on the subjec He did so this day. He began by observing that he ha put it off from day to day, because the subject was painful to wit, his remaining in office, which that letter solicited. H said that the declaration he had made when he quitted hi military command, of never again entering into public lif was sincere. That, however, when he was called on to com forward to set the present government in motion, it appeare to him that circumstances were so changed as to justify change in his resolution : he was made to believe that in tw years all would be well in motion, and he might retire. A the end of two years he found some things still to be don At the end of the third year, he thought it was not wort while to disturb the course of things, as in one year more hi office would expire, and he was decided then to retire. No he was told there would still be danger in it. Certainly, i he thought so, he would conquer his longing for retirement but he feared it would be said his former professions of retirement had been mere affectation, and that he was lik other men, when once in office he could not quit it. He wa sensible, too, of a decay of his hearing; perhaps his othe faculties might fall off, and he not be sensible of it. Th with respect to the existing causes of uneasiness, he though there were suspicions against a particular party, which ha been carried a great deal too far : there might be *desires*, bu he did not believe there were *designs* to change the form government into a monarchy: that there might be a few who wished it in the higher walks of life, particularly in the great cities; but that the main body of the people in the eastern States were as steadily for republicanism as in the southern. That the pieces lately published, and particularly in Freneau's paper, seemed to have in view the exciting opposition to the government. That this had taken place in Pennsylvania as to the excise law, according to information he had received from General Hand. That they tended to produce a separation of the Union, the most dreadful of all calamities, and that whatever tended to produce anarchy, tended, of course, to produce a resort to monarchical government. He considered those papers as attacking him directly; for he must be a fool indeed to swallow the little sugar-plumbs here and there thrown out to him. That in condemning the administration of the government, they condemned him; for if they thought there were measures pursued contrary to his sentiments, they must conceive him too careless to attend to them, or too stupid to understand them. That though, indeed, he had signed many acts which he did not approve in all their parts, yet he had never put his name to one which he did not think, on the whole, was eligible. That as to the bank, which had been an act of so much complaint, until there was some infallible criterion of reason, a difference of opinion must be tolerated. He did not believe the discontents extended far from the seat of government. He had seen and spoken with many people in Maryland and Virginia, in his late journey; he found the people contented and happy. He wished, however, to be better informed on this head. If the discontents were more extensive than he supposed, it might be that the desire that he should remain in the government was not general.

My observations to him tended principally to enforce the topics of my letter. I will not, therefore, repeat them, except where they produced observations from him. I said that the two great complaints were, that the national debt was unnecessarily increased, and that it had furnished the means of corrupting both branches of the legislature; that he must know, and every body knew, there was a considerable squadron in both, whose votes were devoted to the paper and stock-jobbing interest; that the names of a weighty number were known, and several others suspected on good grounds. That on examining the votes of these men, they would be found uniformly for every Treasury measure, and that as most of these measures had been carried by small majorities, they were carried by these very votes. That, therefore, it was a cause of just uneasiness, when we saw a legislature legislating for their own interests, in opposition to those of the people. He said not a word on the corruption of the legislature, but took up the other point, defended the Assumption, and argued that it had not increased the debt, for that all of it was honest debt. He justified the excise law, as one of the best laws which could be passed, as nobody would pay the tax who did not choose to do it. With respect to the increase of the debt by the Assumption, I observed to him, that what was meant and objected to was, that it increased the debt of the General Government, and carried it beyond the possibility of payment. That if the balances had been settled, and the debtor States directed to pay their deficiencies to the creditor States, they would have done it easily, and by resources of taxation in their power, and acceptable to the people; by a direct tax in the south, and an excise in the north. Still, he said, it would be paid by the people. Finding him decided, I avoided entering into argument with him on those points.

Bladensburg, October the 1st, 1792. This morning at Mount Vernon, I had the following conversation with the President. He opened it by expressing his regret at the resolution in which I appeared so fixed, in the letter I had written him, of retiring from public affairs. He said, that he should be extremely sorry that I should do it, as long as he was in office, and that he could not see where he should find another character to fill my office. That, as yet, he was quite undecided whether to retire in March or not. His inclinations led him strongly to do it. Nobody disliked more the ceremonies of his office, and he had not the least taste or gratification in the execution of its functions. That he was happy at home alone, and that his presence there was now peculiarly called for by the situation of Major Washington, whom he thought irrecoverable, and should he get well, he would remove into another part of the country, which might better agree with him. That he did not believe his presence necessary; that there were other characters who would do the business as well or better. Still, however, if his aid was thought necessary to save the cause to which he had devoted his life principally, he would make the sacrifice of a longer continuance. That he therefore reserved himself for future decision, as his declaratio would be in time if made a month before the day of election He had desired Mr. Lear to find out from conversation, withou appearing to make the inquiry, whether any other perso would be desired by any body. He had informed him, he judged from conversations that it was the universal desire he should continue, and he believed that those who expressed a doubt of his continuance, did it in the language of apprehension, and not of desire. 'But this,' says he, 'is only from the north; it may be very different in the south. I thought this meant as an opening to me to say what was the sentiment in the south, from which quarter I came. I told him that, as far as I knew, there was but one voice there, which was for his continuance. That as to myself, I had ever preferred the pursuits of private life to those of public, which had nothing in them agreeable to me. I explained to him the circumstances of the war which had first called me into public life, and those following the war, which had called me from a retirement on which I had determined. That I had constantly kept my eye on my own home, and could no longer refrain from returning to it. As to himself, his presence was important; that he was the only man in the United States who possessed the confidence of the whole; that government was founded in opinion and confidence, and that the longer he remained, the stronger would become the habits of the people in submitting to the government, and in thinking it a thing to be maintained; that there was no other person, who would be thought any thing more than the head of a party. He then expressed his concern at the difference which he found to subsist between the Secretary of the Treasury and myself, of which he said he had not been aware. He knew, indeed, that there was a marked difference in our political sentiments, but he had never suspected it had gone so far in producing a personal difference, and he wished he could be the mediator to put an end to it. That he thought it important to preserve the check of my opinions in the administration, in order to keep things in their proper channel, and prevent them from going too far. That as to the idea of transforming this government into a monarchy, he did not believe there were ten men in the United States, whose opinions were worth attention, who entertained such a thought. I told him there were many more than he imagined. I recalled to his memory a dispute at his own table, a little before we left Philadelphia, between General Schuyler on one side, and Pinckney and myself on the other, wherein the former maintained the position, that hereditary descent was as likely to produce good magistrates as election. I told him, that though the people were sound, there were a numerous sect who had monarchy in contemplation: that the Secretary of the Treasury was one of these. That I had

heard him say that this constitution was a shilly-shally thin
of mere milk and water, which could not last, and was on
good as a step to something better. That when we reflecte
that he had endeavoured in the convention, to make an Englis
constitution of it, and, when failing in that, we saw all h
measures tending to bring it to the same thing, it was natur
for us to be jealous; and particularly, when we saw th
these measures had established corruption in the legislatur
where there was a squadron devoted to the nod of the Tre
sury, doing whatever he had directed, and ready to do wh
he should direct. That if the equilibrium of the thr
great bodies, legislative, executive, and judiciary, could
preserved, if the legislature could be kept independent, I shou
never fear the result of such a government; but that I cou
not but be uneasy, when I saw that the executive had swa
lowed up the legislative branch. He said, that as to th
interested spirit in the legislature, it was what could not
avoided in any government, unless we were to exclude partic
lar descriptions of men, such as the holders of the funds, fro
all office. I told him, there was great difference between t
little accidental schemes of self-interest, which would ta
place in every body of men, and influence their votes, and
regular system for forming a corps of interested persons, w
should be steadily at the orders of the Treasury. He touche
on the merits of the funding system, observed there was a di
ference of opinion about it, some thinking it very bad, othe
very good; that experience was the only criterion of rig
which he knew, and this alone would decide which opinion w
right. That for himself, he had seen our affairs desperate an
our credit lost, and that this was in a sudden and extraordina
degree raised to the highest pitch. I told him, all that w
ever necessary to establish our credit, was an efficient gover
ment and an honest one, declaring it would sacredly pay ou
debts, laying taxes for this purpose, and applying them to i
I avoided going further into the subject. He finished b
another exhortation to me not to decide too positively on retir
ment, and here we were called to breakfast.

October the 31st, 1792. I had sent to the President, Vi
and Jaudenes's letter of the 29th instant, whereupon he desire
a consultation of Hamilton, Knox, E. Randolph, and mysel
on these points. 1. What notice was to be taken hereof
Spain? 2. Whether it should make part of the communic
tion to the legislature? I delivered my opinion, that it ought
be communicated to both Houses, because the communicatio

intended to be made, being to bring on the question, whether they would declare war against any, and which of the nations or parts of the nations of Indians to the south, it would be proper this information should be before them, that they might know how far such a declaration would lead them. There might be some who would be for war against the Indians, if it were to stop there, but who would not be for it, if it were to lead to a war against Spain. I thought it should be laid before both Houses, because it concerned the question of declaring war, which was the function equally of both Houses. I thought a simple acknowledgment of the receipt of the letter should be made by me to the Spanish Chargés, expressing that it contained some things very unexpected to us, but that we should refer the whole, as they had proposed, to the negotiators at Madrid. This would secure to us a continuation of the suspension of Indian hostilities, which the Governor of New Orleans said he had brought about till the result of the negotiation at Madrid should be known; would not commit us as to running or not running the line, or imply any admission of doubt about our territorial right; and would avoid a rupture with Spain, which was much to be desired, while we had similar points to discuss with Great Britain.

Hamilton declared himself the advocate for peace. War would derange our affairs greatly; throw us back many years in the march towards prosperity; be difficult for us to pursue, our countrymen not being disposed to become soldiers; a part of the Union, feeling no interest in the war, would with difficulty be brought to exert itself; and we had no navy. He was for every thing which would procrastinate the event. A year, even, was a great gain to a nation strengthening as we were. It laid open to us, too, the chapter of accidents, which, in the present state of Europe, was a very pregnant one. That while, however, he was for delaying the event of war, he had no doubt it was to take place between us for the object in question: that jealousy and perseverance were remarkable features in the character of the Spanish government, with respect to their American possessions; that so far from receding as to their claims against us, they had been strengthening themselves in them. He had no doubt the present communication was by authority from the court. Under this impression, he thought we should be looking forward to the day of rupture, and preparing for it. That if we were unequal to the contest ourselves, it behoved us to provide allies for our aid. That in this view, but two nations could be named, France and Eng-

land. France was too intimately connected with Spain in oth
points, and of too great mutual value, ever to separate for u
Her affairs too, were such, that whatever issue they had, sl
could not be in a situation to make a respectable mediation f
us. England alone, then, remained. It would not be easy
effect it with her; however, he was for trying it, and f
sounding them on the proposition of a defensive treaty
alliance. The inducements to such a treaty, on their par
might be, 1. the desire of breaking up our former connection
which we knew they had long wished. 2. A continuance
the *statu quo* in commerce for ten years, which he believ
would be desirable to them. 3. An admission to some nav
gable part of the Mississippi, by some line drawn from the Lal
of the Woods to such navigable part. He had not, he sai
examined the map to see how such a line might be run, so
not to make too great a sacrifice. The navigation of the Mi
sissippi being a joint possession, we might then take measures
concert for the joint security of it. He was, therefore, f
immediately sounding them on this subject through our minist
at London; yet so as to keep ourselves unengaged as long
possible, in hopes a favourable issue with Spain might
otherwise effected. But he was for sounding immediatel
and for not letting slip an opportunity of securing our object.

E. Randolph concurred, in general, with me. He object
that such an alliance could not be effected without pecunia
consideration probably, which we could not give. And wh
was to be their aid? If men, our citizens would see th
armies get foothold in the United States, with great jealous
it would be difficult to protect them. Even the Fren
during the distresses of the late war, excited some jealo
sentiments.

Hamilton said, money was often, but not always demande
and the aid he should propose to stipulate would be in shi
Knox *non dissentiente.*

The President said the remedy would be worse than t
disease, and stated some of the disagreeable circumstanc
which would attend our making such overtures.

November, 1792. Hamilton called on me to speak abo
our furnishing supplies to the French colony of St. Doming
He expressed his opinion, that we ought to be cautious, a
not go too far in our application of money to their use, lest
should not be recognised by the mother country. He did n
even think that some kinds of government they might establi

could give a sufficient sanction.* I observed, that the National Convention was now met, and would certainly establish a form of government; that as we had recognised the former government because established by authority of the *nation*, so we must recognise any other which should be established by the authority of the nation. He said we had recognised the former, because it contained an important member of the antient, to wit, the King, and wore the appearance of his consent; but if, in any future form, they should omit the King, he did not know that we could with safety recognise it, or pay money to its order.

November the 19th, 1792. Beckley brings me the pamphlet written by Hamilton, before the war, in answer to Common Sense. It is entitled 'Plain Truth.' Melancthon Smith sends it to Beckley, and in his letter says, it was not printed in New York by Loudon, because prevented by a mob, and was printed in Philadelphia, and that he has these facts from Loudon.

November the 21st, 1792. Mr. Butler tells me, that he dined last winter with Mr. Campbell, from Denmark, in company with Hamilton, Lawrence, Dr. Shippen, T. Shippen, and one other person whom he cannot recollect. That after dinner political principles became the subject of conversation; that Hamilton declared openly, that 'there was no stability, no security, in any kind of government but a monarchy.' That Lawrence took him up, and entered the lists of argument against him; that the dispute continued long, and grew warm, remarkably so as between them; that T. Shippen, at length, joined Lawrence in it; and in fine, that it broke up the com-

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* There had been a previous consultation at the President's (about the first week in November) on the expediency of suspending payments to France, under her present situation. I had admitted that the late constitution was dissolved by the dethronement of the King; and the management of affairs surviving to the National Assembly only, this was not an integral legislature, and therefore not competent to give a legitimate discharge for our payments; that I thought consequently, that none should be made till some legitimate body came into place; and that I should consider the National Convention called, but not met as we had yet heard, to be a legitimate body. Hamilton doubted whether it would be a legitimate body, and whether, if the King should be re-established, he might not disallow such payments on good grounds. Knox, for once, dared to differ from Hamilton, and to express, very submissively, an opinion, that a convention named by the whole body of the nation, would be competent to do any thing. It ended by agreeing, that I should write to Gouverneur Morris to suspend payment generally, till further orders.

pany. Butler recommended to the company, that the disput
having probably gone farther than was intended, it ought
be considered as confined to the company.

Thursday, December the 27th, 1792. I waited on the Pr
sident on some current business. After this was over, h
observed to me, that he thought it was time to endeavour t
effect a stricter connection with France, and that Gouverneu
Morris should be written to on this subject. He went int
the circumstances of dissatisfaction between Spain and Gre
Britain, and us, and observed, there was no nation on who
we could rely, at all times, but France; and that, if we di
not prepare in time some support, in the event of ruptu
with Spain and England, we might be charged with
criminal negligence. [I was much pleased with the to
of these observations. It was the very doctrine which ha
been my polar star, and I did not need the successes
the republican arms in France, lately announced to us,
bring me to these sentiments. For it is to be noted, th
on Saturday last, (the 22d) I received Mr. Short's lette
of October the 9th and 12th, with the Leyden gazett
to October the 13th, giving us the first news of the r
treat of the Duke of Brunswick, and the capture of Spir
and Worms by Custine, and that of Nice by Anselme.]
therefore expressed to the President my cordial approb
tion of these ideas; told him, I had meant on that day (
an opportunity of writing by the British packet wou
occur immediately,) to take his orders for removing the su
pension of payments to France, which had been imposed
my last letter to Gouverneur Morris, but was meant, as I su
posed, only for the interval between the abolition of the la
constitution by the dethronement of the King, and the meeti
of some other body, invested by the will of the nation wi
powers to transact their affairs; that I considered the Natio
Convention, then assembled, as such a body; and that, the
fore, we ought to go on with the payments to them, or to a
government they should establish: that, however, I h
learned last night, that some clause in the bill for providi
reimbursement of the loan made by the bank to the Unit
States, had given rise to a question before the House of R
presentatives yesterday, which might affect these payment
a clause in that bill proposing, that the money formerly b
rowed in Amsterdam, to pay the French debt, and approp
ated by law (1790, August 4th, c. 34. s. 2.) to that purpo
lying dead as was suggested, should be taken to pay the ban

and the President be authorised to borrow two millions of dollars more, out of which it should be replaced: and if this should be done, the removal of our suspension of payments, as I had been about to propose, would be premature. He expressed his disapprobation of the clause above mentioned; thought it highly improper in the legislature to change an appropriation once made, and added, that no one could tell in what that would end. I concurred, but observed, that on a division of the House, the ayes for striking out the clause were twenty-seven, the noes twenty-six; whereon the Speaker gave his vote against striking out, which divides the House: the clause for the disappropriation remained of course. I mentioned suspicions, that the whole of this was a trick to serve the bank under a great existing embarrassment; that the debt to the bank was to be repaid by instalments; that the first instalment was of two hundred thousand dollars only, or rather one hundred and sixty thousand dollars, (because forty thousand of the two hundred thousand dollars would be the United States' own dividend of the instalment.) Yet here were two millions to be paid them at once, and to be taken from a purpose of gratitude and honour, to which it had been appropriated.

December the 30th, 1792. I took the occasion furnished by Pinckney's letter of September the 19th, asking instructions how to conduct himself as to the French revolution, to lay down the catholic principle of republicanism, to wit, that every people may establish what form of government they please, and change it as they please; the will of the nation being the only thing essential. I was induced to do this, in order to extract the President's opinion on the question which divided Hamilton and myself in the conversation of November, 1792, and the previous one of the first week of November, on the suspension of payments to France: and if favourable to mine, to place the principle of record in the letter books of my office. I therefore wrote the letter of December the 30th, to Pinckney, and sent it to the President, and he returned me his approbation in writing, in his note of the same date, which see.

February the 7th, 1793. I waited on the President, with letters and papers from Lisbon. After going through these, I told him that I had for some time suspended speaking with him on the subject of my going out of office, because I had understood that the bill for intercourse with foreign nations was likely to be rejected by the Senate, in which case, the remaining business of the department would be too inconsiderable t make it worth while to keep it up. But that the bill bein now passed, I was freed from the considerations of propriet which had embarrassed me. That, &c. [nearly in the words o a letter to Mr. T. M. Randolph, of a few days ago,] and tha I should be willing, if he had taken no arrangements to th contrary, to continue somewhat longer, how long I could no say, perhaps till summer, perhaps autumn. He said, so fa from taking arrangements on the subject, he had never mentioned to any mortal the design of retiring, which I ha expressed to him, till yesterday, when having heard that I had given up my house, and that it was rented by another, he thereupon mentioned it to Mr. E. Randolph, an asked him, as he knew my retirement had been talked o whether he had heard any persons suggested in conversation to succeed me? He expressed his satisfaction at m change of purpose, and his apprehensions that my retirement would be a new source of uneasiness to the public. H said Governor Lee had that day informed him of the general discontent prevailing in Virginia, of which he neve had had any conception, much less sound informatio That it appeared to him very alarming. He proceeded t express his earnest wish that Hamilton and myself coul coalesce in the measures of the government, and urge here the general reasons for it which he had done to m in two former conversations. He said he had proposed th same thing to Hamilton, who expressed his readiness, an he thought our coalition would secure the general acquiescence of the public. I told him my concurrence was of muc less importance than he seemed to imagine; that I kept myself aloof from all cabal and correspondence on the subject the government, and saw and spoke with as few as I coul That as to a coalition with Mr. Hamilton, if by that w meant that either was to sacrifice his general system to t other, it was impossible. We had both, no doubt, formed o conclusions after the most mature consideration: and prin ples conscientiously adopted, could not be given up on eith side. My wish was, to see both Houses of Congress cleans of all persons interested in the bank or public stocks: a that a pure legislature being given us, I should always ready to acquiesce under their determinations, even if contra to my own opinions; for that I subscribe to the principle, th the will of the majority, honestly expressed, should give la I confirmed him in the fact of the great discontents to t south; that they were grounded on seeing that their judgments and interests were sacrificed to those of the eastern States on every occasion, and their belief that it was the effect of a corrupt squadron of voters in Congress, at the command of the Treasury; and they see that if the votes of those members who had any interest distinct from, and contrary to the general interest of their constituents, had been withdrawn, as in decency and honesty they should have been, the laws would have been the reverse of what they are on all the great questions. I instanced the new Assumption carried in the House of Representatives by the Speaker's vote. On this subject he made no reply. He explained his remaining in office to have been the effect of strong solicitations after he returned here; declaring that he had never mentioned his purpose of going out but to the heads of departments and Mr. Madison; he expressed the extreme wretchedness of his existence while in office, and went lengthily into the late attacks on him for levees, &c., and explained to me how he had been led into them by the persons he consulted at New York; and that if he could but know what the sense of the public was, he would most cheerfully conform to it.

February the 16th, 1793. E. Randolph tells J. Madison and myself a curious fact, which he had from Lear. When the President went to New York, he resisted for three weeks the efforts to introduce levees. At length he yielded, and left it to Humphreys and some others to settle the forms. Accordingly, an antichamber and presence room were provided, and when those who were to pay their court were assembled, the President set out, preceded by Humphreys. After passing through the antichamber, the door of the inner room was thrown open, and Humphreys entered first, calling out with a loud voice, 'the President of the United States.' The President was so much disconcerted with it, that he did not recover it the whole time of the levee, and when the company was gone, he said to Humphreys, 'Well, you have taken me in once, but by God you shall never take me in a second time.'

There is reason to believe that the rejection of the late additional Assumption by the Senate, was effected by the President through Lear, operating on Langdon. Beckley knows this.

February the 26th, 1793. Notes on the proceedings of yesterday. [See the formal opinions given to the President in writing, and signed.]

First question. We were all of opinion that the treaty should proceed merely to gratify the public opinion, and not from an expectation of success. I expressed myself strongly, that the event was so unpromising, that I thought the preparations for a campaign should go on without the least relaxation, and that a day should be fixed with the commissioners for the treaty, beyond which they should not permit the treaty to be protracted, by which day orders should be given for our forces to enter into action. The President took up the thing instantly, after I had said this, and declared he was so much in the opinion that the treaty would end in nothing, that he then, in the presence of us all, gave orders to General Knox, not to slacken the preparations for the campaign in the least, but to exert every nerve in preparing for it. Knox said something about the ultimate day for continuing the negotiations. I acknowledged myself not a judge on what day the campaign should begin, but that whatever it was, that day should terminate the treaty. Knox said he thought a winter campaign was always the most efficacious against the Indians. I was of opinion, since Great Britain insisted on furnishing provisions, that we should offer to repay. Hamilton thought we should not.

Second question. I considered our right of preemption of the Indian lands, not as amounting to any dominion, or jurisdiction, or paramountship whatever, but merely in the nature of a remainder after the extinguishment of a present right, which gave us no present right whatever, but of preventing other nations from taking possession, and so defeating our expectancy; that the Indians had the full, undivided and independent sovereignty as long as they chose to keep it, and that this might be for ever; that as fast as we extend our rights by purchase from them, so fast we extend the limits of our society, and as soon as a new portion became encircled within our line, it became a fixed limit of our society; that the executive, with either or both branches of the legislature, could not alien any part of our territory; that by the law of nations it was settled, that the unity and indivisibility of the society was so fundamental, that it could not be dismembered by the constituted authorities, except, 1. where *all power* was delegated to them (as in the case of despotic governments,) or, 2. where it was expressly delegated; that neither of these delegations had been made to our General Government, and, therefore, that it had no right to dismember or alienate any portion of territory once ultimately consolidated with us: and that we could no more cede to the Indians than to the English or Spaniards, as it might, according to acknowledged principles, remain as irrevocably and eternally with the one as the other. But I thought, that as we had a right to sell and settle lands once comprehended within our lines, so we might forbear to exercise that right, retaining the property, till circumstances should be more favourable to the settlement, and this I agreed to do in the present instance, if necessary for peace.

Hamilton agreed to the doctrine of the law of nations, as laid down in Europe, but that it was founded on the universality of settlement there; consequently that no lopping off of territory could be made without a lopping off of citizens, which required their consent; but that the law of nations for us, must be adapted to the circumstance of our unsettled country, which he conceived the President and Senate may cede; that the power of treaty was given to them by the constitution, without restraining it to particular objects; consequently that it was given in as plenipotentiary a form as held by any sovereign in any other society. Randolph was of opinion, there was a difference between a cession to Indians and to any others, because it only restored the ceded part to the condition in which it was before we bought it, and consequently, that we might buy it again hereafter: therefore, he thought the executive and Senate could cede it. Knox joined in the main opinion. The President discovered no opinion, but he made some efforts to get us to join in some terms which could unite us all, and he seemed to direct those efforts more towards me: but the thing could not be done.

Third question. We agreed in idea as to the line to be drawn; to wit, so as to retain all lands appropriated, or granted, or reserved.

Fourth question. We all thought if the Senate should be consulted, and consequently apprised of our line, it would become known to Hammond, and we should lose all chance of saving any thing more at the treaty than our ultimatum.

The President, at this meeting, mentioned the declaration of some person, in a paper of Fenno, that he would commence an attack on the character of Dr. Franklin. He said, the theme was to him excessively disagreeable on other considerations, but most particularly so, as the party seemed to do it as a means of defending him (the President) against the late attacks on him: that such a mode of defence would be peculiarly painful to him, and he wished it could be stopped. Hamilton and Randolph undertook to speak to Fenno to suppress it, without mentioning it as the President's wish. Both observed, that they had heard this declaration mentioned in many companies, and that it had excited universal horror and detestation.

The papers in Fenno must lie between two persons, viz. Adams and Izard, because they are the only persons who could know such facts as are there promised to be unfolded. Adams is an enemy to both characters, and might choose this ground as an effectual position to injure both. Izard hated Franklin with unparalleled bitterness, but humbly adores the President, because he is in *loco regis*. If the paper proceeds, we shall easily discover which of these two gentlemen is the champion. In the mean time, the first paper leads our suspicions more towards Izard than Adams, from the circumstance of style, and because he is quite booby enough not to see the injury he would do to the President by such a mode of defence.

February the 28th. Knox, E. Randolph and myself, met at Knox's, where Hamilton was also to have met, to consider the time, manner, and place of the President's swearing in. Hamilton had been there before, and had left his opinion with Knox; to wit, that the President should ask a judge to attend him in his own house to administer the oath, in the presence of the heads of departments; which oath should be deposited in the Secretary of States' office. I concurred in this opinion. Randolph was for the President's going to the Senate chamber to take the oath, attended by the marshal of the United States, who should then make proclamation, &c. Knox was for this, and for adding the House of Representatives to the presence, as they would not yet be departed. Our individual opinions were written, to be communicated to the President, out of which he might form one. In the course of our conversation, Knox, stickling for parade, got into great warmth, and swore that our government must either be entirely new modeled, or it would be knocked to pieces in less than ten years; and that as it is at present, he would not give a copper for it: that it is the President's character, and not the written constitution, which keeps it together.

Same day. Conversation with Lear. He expressed the strongest confidence that republicanism was the universal creed of America, except of a very few; that a republican administration must of necessity immediately overbear the contrary faction; said that he had seen with extreme regret that a number of gentlemen had for a long time been endeavouring to instil into the President, that the noise against the administration of the government was that of a little faction, which would soon be silent, and which was detested by the people, who were contented and prosperous: that this very party, however, began to see their error, and that the sense of America was bursting forth to their conviction.

March the 2nd, 1793. See in the papers of this date, Mr. Giles's resolutions. He and one or two others were sanguine enough to believe, that the palpableness of these resolutions rendered it impossible the House could reject them. Those who knew the composition of the House, 1. of bank directors, 2. holders of bank stock, 3. stock jobbers, 4. blind devotees, 5. ignorant persons who did not comprehend them, 6. lazy and good humoured persons, who comprehended and acknowledged them, yet were too lazy to examine, or unwilling to pronounce censure; the persons who knew these characters, foresaw, that the three first descriptions making one third of the House, the three latter would make one half of the residue; and of course, that they would be rejected by a majority of two to one. But they thought, that even this rejection would do good, by shewing the public the desperate and abandoned dispositions with which their affairs were conducted. The resolutions were proposed, and nothing spared to present them in the fullness of demonstration. There were not more than three or four who voted otherwise than had been expected.

March the 30th, 1793. At our meeting at the President's, February the 25th, in discussing the question, whether we should furnish to France the three millions of livres desired, Hamilton, in speaking on the subject, used this expression: 'When Mr. Genet arrives, whether we shall receive him or not, will then be a question for discussion:' which expression I did not recollect till E. Randolph reminded me of it a few days after. Therefore, on the 20th instant, as the President was shortly to set out for Mount Vernon, I observed to him, that as Genet might arrive in his absence, I wished to know beforehand how I should treat him, whether as a person who would or would not be received? He said, he could see no ground of doubt, but that he ought to be received. On the 24th, he asked E. Randolph's opinion on the subject, saying, he had consulted Colonel Hamilton thereon, who went into lengthy considerations of doubt and difficulty, and viewing it as a very unfortunate thing, that the President should have the decision of so critical a point forced on him; but, in con- lusion, said, since he was brought into that situation, he did not see but that he must receive Mr. Genet. Randolph told President, he was clear he should be received, and the esident said, he had never had any doubt on the subject in his mind. Afterwards, on the same day, he spoke to me again on it, and said, Mr. Genet should unquestionably be received; he thought not with too much warmth or cordiality, so as to be satisfactory to him. I wondered at first at this tion; but when Randolph afterwards communicated to conversation of the h, I became satisfied it was a man sacrifice to the opinion Hamilton.

March the 31st. Mr. Be y tells me, that the merchants' nds for duties on six m is' credit became due the 1st stant, to a very great amo That Hamilton went to the nk on that day, and direc the bank to discount for those erchants all their bonds at thirty days, and that he would have the collectors credited for the money at the treasury. Hence, the treasury lumping s receipts by the month in its nted accounts, these ll be considered by the public only received on th day; consequently, the bank makes the month's interest out of it. Beckley had this from a merchant who had a bond discounted, and who supposes a million of dollars were discounted at the bank here. Mr. Brown got the same information from another merchant, who supposed only six hundred thousand dollars discounted here. But they suppose the same orders went to all the branch banks to a great amount.

Eodem die. Mr. Brown tells me he has it from a merchant here, that during the last winter, the directors of the bank ordered the freest discounts. Every man could obtain it. Money being so flush, the six per cents run up to twenty-one and twenty-two shillings. Then the directors sold out their private stocks. When the discounted notes were becoming due, they stopped discounts, and not a dollar was to be had. This reduced six per cents to eighteen shillings and three pence; then the same directors bought in again.

April the 7th, 1793. Mr. Lear called on me, and introduced of himself a conversation on the affairs of the United States. He laughed at the cry of prosperity, and the deriving it from the establishment of the treasury: he said, that so fa from giving into this opinion, and that we were paying off ou national debt, he was clear the debt was growing on us; that he had lately expressed this opinion to the President, who appeared much astonished at it. I told him I had given the same hint to the President last summer, and lately again had suggested, that we were even depending for the daily subsistence of government on borrowed money. He said, that was certain, and was the only way of accounting for what was become of the money drawn over from Holland to this country. He regretted that the President was not in the way of hearing full information; declared he communicated to him every thing he could learn himself; that the men who vaunted the present government so much on some occasions, were the very men who at other times declared it was a poor thing, and such a one as could not stand, and he was sensible they only esteemed it as a stepping-stone to something else, and had availed themselves of the first moments of the enthusiasm in favour of it, to pervert its principles and make of it what they wanted: and that though they raised the cry of anti-federalism against those who censured the mode of administration, yet he was satisfied, whenever it should come to be tried, that the very men whom they called anti-federalists, were the men who would save the government, and he looked to the next Congress for much rectification.

April the 18th. The President sends a set of questions to be considered, and calls a meeting. Though those sent me were in his own handwriting, yet it was palpable from the style, their ingenious tissue and suite, that they were not the President's, that they were raised upon a prepared chain of argument, in short, that the language was Hamilton's, and the doubts his alone. They led to a declaration of the executive, that our treaty with France is void. E. Randolph, the next day, told me that the day before the date of these questions, Hamilton went with him through the whole chain of reasoning of which these questions are the skeleton, and that he recognised them the moment he saw them.

We met. The first question, whether we should receive the French minister, Genet, was proposed, and we agreed unanimously that he should be received; Hamilton, at the same time expressing his great regret that any incident had happened, which should oblige us to recognise the government. The next question was, whether he should be received absolutely, or with qualifications. Here Hamilton took up the whole subject, and went through it in the order in which the questions sketch it. See the chain of his reasoning in my

opinion of April the 28th. Knox subscribed at once t
Hamilton's opinion that we ought to declare the treaty void
acknowledging at the same time, like a fool as he is, tha
he knew nothing about it. I was clear it remained valid. Randolph declared himself of the same opinion, but on Hamilton'
undertaking to present to him the authority in Vattel (whic
we had not present), and to prove to him, that if the authorit
was admitted, the treaty might be declared void, Randolp
agreed to take further time to consider. It was adjourned
We determined, unanimously, the last question, that Congres
should not be called. There having been an intimation b
Randolph, that in so great a question he should choose to giv
a written opinion, and this being approved by the President
I gave in mine April the 28th. Hamilton gave in his.
believe Knox's was never thought worth offering or asking for
Randolph gave his May the 6th, concurring with mine. Th
President told me, the same day, he had never had a doub
about the validity of the treaty; but that since a question ha
been suggested, he thought it ought to be considered: tha
this being done, I might now issue passports to sea vessels i
the form prescribed by the French treaty. I had for a wee
past only issued the Dutch form; to have issued the French
would have been presupposing the treaty to be in existenc
The President suggested, that he thought it would be as we
that nothing should be said of such a question having bee
under consideration.

Written May the 6th.

May the 6th, 1793. When the question was, whether th
proclamation of April the 22nd should be issued, Randolp
observed, that there should be a letter written by me to th
ministers of the belligerent powers, to declare that it shoul
not be taken as conclusive evidence against our citizens i
foreign courts of admiralty, for contraband goods. Kno
suddenly adopted the opinion, before Hamilton delivered hi
Hamilton opposed it pretty strongly. I thought it an indi
ferent thing, but rather approved Randolph's opinion. Th
President was against it; but observed that *as there were thr*
for it, it should go. This was the first instance I had seen
an opportunity to decide by a mere majority, including h
own vote.

May the 12th. Lear called on me to-day. Speaking
the lowness of stocks, (sixteen shillings,) I observed it was
pity we had not money to buy on public account. He sai

yes, and that it was the more provoking, as two millions had been borrowed for that purpose, and drawn over here, and yet were not here. That he had no doubt those would take notice of the circumstance whose duty it was to do so. I suppose he must mean the President.

May the 23rd. I had sent to the President yesterday, draughts of a letter from him to the Provisory Executive Council of France, and of one from myself to Mr. Ternant, both on the occasion of his recall. I called on him to-day. He said there was an expression in one of them, which he had never before seen in any of our public communications, to wit, 'our republic.' The letter prepared for him to the Council, began thus: 'The Citizen Ternant has delivered to me the letter wherein you inform me, that yielding, &c. you had determined to recall him from his mission, as your Minister Plenipotentiary to *our republic*.' He had underscored the words, *our republic*. He said that certainly ours was a republican government, but yet we had not used that style in this way; that if any body wanted to change its form into a monarchy, he was sure it was only a few individuals, and that no man in the United States would set his face against it more than himself: but that this was not what he was afraid of; his fears were from another quarter; that there was more danger of anarchy being introduced. He adverted to a piece in Freneau's paper of yesterday; he said he despised all their attacks on him personally, but that there never had been an act of the government, not meaning in the executive line only, but in any line, which that paper had not abused. He had also marked the word republic thus ✓, where it was applied to the French republic. (See the orginal paper.) He was evidently sore and warm, and I took his intention to be, that I should interpose in some way with Freneau, perhaps withdraw his appointment of translating clerk to my office. But I will not do it. His paper has saved our constitution, which was gallopping fast into monarchy, and has been checked by no one means so powerfully as by that paper. It is well and universally known, that it has been that paper which has checked the career of the monocrats; and the President, not sensible of the designs of the party, has not with his usual good sense and *sang froid*, looked on the efforts and effects of this free press, and seen that, though some bad things have passed through it to the public, yet the good have preponderated immensely.

June the 7th, 1793. Mr. Beckley, who has returned from

New York within a few days, tells me, that while he was there Sir John Temple, Consul General of the northern States fo Great Britain, shewed him a letter from Sir Gregory Pag Turner, a member of parliament for a borough in Yorkshire who, he said, had been a member for twenty-five years, an always confidential for the ministers, in which he permitted hi to read particular passages of the following purport: 'that th government was well apprised of the predominancy of th British interest in the United States; that they considere Colonel Hamilton, Mr. King, and Mr. W. Smith of Sout Carolina, as the main supports of that interest; that particularly, they considered Colonel Hamilton, and not Mr. Hammond, as their effective minister here; that if the anti-feder interest (that was his term), at the head of which they cons dered Mr. Jefferson to be, should prevail, these gentlemen *ha* *secured* an asylum to themselves in England.' Beckley coul not understand whether they had secured it *themselves*,* o whether they were only notified that it was secured to them So that they understand that they may go on boldly in the machinations to change the government, and if they shoul be overset and choose to withdraw, they will be secure of pension in England, as Arnold, Deane, &c. had. Sir Joh read passages of a letter (which he did not put into Beckley hand, as he did the other) from Lord Grenville, sayin nearly the same things. This letter mentions to Sir Joh that though they had divided the Consul Generalship, an given the southern department to Bond, yet he, Sir Joh was to retain his whole salary. [By this it would seem, as i wanting to use Bond, they had covered his employment wi this cloak.] Mr. Beckley says that Sir John Temple is strong republican. I had a proof of his intimacy with S John in this circumstance. Sir John received his new commi sion of Consul General for the northern department, and i stead of sending it through Mr. Hammond, got Beckley inclose it to me for his exequator. I wrote to Sir John th it must come through Mr. Hammond, inclosing it back to hi He accordingly then sent it to Mr. Hammond.

In conversation with the President to-day, and speaki about General Greene, he said that he and General Greene h always differed in opinion about the manner of using milit Greene always placed them in his front: himself was of opinio they should always be used as a reserve to improve any a

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[* In the margin is written, by Mr. Jefferson, 'Impossible as to Ham ton; he was far above that.']

vantage, for which purpose they were the *finest fellows* in the world. He said he was on the ground of the battle of Guilford, with a person who was in the action, and who explained the whole of it to him. That General Greene's front was behind a fence at the edge of a large field, through which the enemy were obliged to pass to get at them; and that in their passage through this, they must have been torn all to pieces, if troops had been posted there who would have stood their ground; and that the retreat from that position was through a thicket, perfectly secure. Instead of this, he posted the North Carolina militia there, who only gave one fire and fell back, so that the whole benefit of their position was lost. He thinks that the regulars, with their field pieces, would have hardly let a single man get through that field.

Eodem die (June the 7th). Beckley tells me that he has the following fact from Governor Clinton. That before the proposition for the present General Government, i. e. a little before Hamilton conceived a plan for establishing a monarchical government in the United States, he wrote a draught of a circular letter, which was to be sent to about —— persons, to bring it about. One of these letters, in Hamilton's handwriting, is now in possession of an old militia General up the North River, who, at that time, was thought *orthodox* enough to be entrusted in the execution. This General has given notice to Governor Clinton, that he has this paper, and that he will deliver it into his hands, and no one's else. Clinton intends, the first interval of leisure, to go for it, and he will bring it to Philadelphia. Beckley is a man of perfect truth as to what he affirms of his own knowledge, but too credulous as to what he hears from others.

June the 10th, 1793. Mr. Brown gives me the following specimen of the phrenzy which prevailed at New York on the opening of the new government. The first public ball which took place after the President's arrival there, Colonel Humphreys, Colonel W. S. Smith, and Mrs. Knox, were to arrange the ceremonials. These arrangements were as follows:—a sofa at the head of the room, raised on several steps, whereon the President and Mrs. Washington were to be seated. The gentlemen were to dance in swords. Each one, when going to dance, was to lead his partner to the foot of the sofa, make a low obeisance to the President and his lady, then go and dance, and, when done, bring his partner again to the foot of the sofa for new obeisances, and then to retire to their chairs. It was to be understood, too, that gentlemen should be dressed in bags. Mrs. Knox contrived to come with the President, and to follow him and Mrs. Washington to their destination, and she had the design of forcing an invitation from the President to a seat on the sofa. She mounted up the steps after them unbidden, but unfortunately the wicked sofa was so short, that when the President and Mrs. Washington were seated, there was not room for a third person; she was obliged, therefore, to descend in the face of the company, and to sit where she could. In other respects the ceremony was conducted rigorously according to the arrangements, and the President made to pass an evening, which his good sense rendered a very miserable one to him.

June the 12th. Beckley tells me that Klingham has been with him to-day, and relates to him the following fact:—A certificate of the old Congress had been offered at the treasury and refused payment, and so indorsed in red ink as usual. This certificate came to the hands of Francis (the quondam clerk of the treasury, who, on account of his being dipped in the infamous case of the Baron Glaubec, Hamilton had been obliged to dismiss, to save appearances, but with an assurance of all future service, and he accordingly got him established in New York). Francis wrote to Hamilton that such a ticket was offered him, but he could not buy it, unless he would inform him and give him his certificate that it was good. Hamilton wrote him a most friendly letter, and sent him the certificate. He bought the paper, and came on here and got it recognised, whereby he made twenty-five hundred dollars Klingham saw both the letter and certificate.

Irving, a clerk in the treasury, an Irishman, is the autho of the pieces now coming out under the signature of Veritas and attacking the President. I have long suspected thi detestable game was playing by the fiscal party, to place th President on their side.

July the 18th, 1793. Lear calls on me. I told him tha Irving, an Irishman, and a writer in the treasury, who, on former occasion, had given the most decisive proofs of hi devotion to his principal, was the author of the pieces signe Veritas: and I wished he could get at some of Irving's ac quaintances and inform himself of the fact, as the perso who told me of it would not permit the name of his in former to be mentioned; [note, Beckley told me of it, an he had it from Swaine, the printer to whom the piece were delivered;] that I had long before suspected this excessive foul play in that party, of writing themselves in the character of the most exaggerated democrats, and incorporating with it a great deal of abuse on the President, to make him believe it was that party who were his enemies, and so throw him entirely into the scale of the monocrats. Lear said, he no longer ago than yesterday, expressed to the President his suspicions of the artifices of that party to work on him. He mentioned the following fact as a proof of their writing in the character of their adversaries; to wit, the day after the little incident of Richet's toasting 'the man of the people,' (see the gazettes,) Mrs. Washington was at Mrs. Powel's, who mentioned to her that when the toast was given, there was a good deal of disapprobation appeared in the audience, and that many put on their hats and went out: on inquiry he had not found the fact true, and yet it was put into 's paper, and written under the character of a republican, though he is satisfied it is altogether a slander of the monocrats. He mentioned this to the President, but he did not mention to him the following fact, which he knows; that in New York, the last summer, when the parties of Jay and Clinton were running so high, it was an agreed point with the former, that if any circumstances should ever bring it to a question, whether to drop Hamilton or the President, they had decided to drop the President. He said that lately one of the loudest pretended friends to the government, damned it, and said it was good for nothing, that it could not support itself, and it was time to put it down and set up a better; and yet the same person, in speaking to the President, puffed off that party as the only friends to the government. He said he really feared that by their artifices and industry, they would aggravate the President so much against the republicans, as to separate him from the body of the people. I told him what the same cabals had decided to do, if the President had refused his assent to the bank bill; also what Brockhurst Livingston said to ——, that Hamilton's life was much more precious to the community than the President's.

August the 1st. Met at the President's, to consider what was to be done with Mr. Genet. All his correspondence with me was read over. The following propositions were made. 1. That a full statement of Mr. Genet's conduct be made in a letter to G. Morris, and be sent with his correspondence, to be communicated to the Executive Council of France; the letter to be so prepared, as to serve for the form of communication to the Council. Agreed unanimously. 2. That in that letter his recall be required. Agreed by all, though I expressed a preference of expressing that desire with great delicacy; the others were for peremptory terms. 3. To send him off. This was proposed by Knox; but rejected by every other. 4. To write a letter to Mr. Genet, the same in substance with that written to G. Morris, and let him know we had applied for his recall. I was against this, because I thought it would render him extremely active in his plans, and endanger confusion. But I was overruled by the other three gentlemen and the President. 5. That a publication of the whole correspondence, and statement of the proceedings, should be made, by way of appeal to the people. Hamilton made a jury speech of three quarters of an hour, as inflammatory and declamatory as if he had been speaking to a jury. E. Randolph opposed it. I chose to leave the contest between them. Adjourned to next day.

August the 2nd. Met again. Hamilton spoke again three quarters of an hour. I answered on these topics. *Object* of the appeal.—The democratic society; this the great circumstance of alarm; afraid it would extend its connections over the continent; chiefly meant for the local object of the ensuing election of Governor. If left alone, would die away after that is over. If opposed, if proscribed, would give it importance and vigour; would give it a new object, and multitudes would join it merely to assert the right of voluntary associations. That the measure was calculated to make the President assume the station of the head of a party, instead of the head of the nation. *Plan* of the appeal.—To consist of *facts* and the *decisions* of the President. As to facts we are agreed; but as to the decisions, there have been great differences of opinion among us. Sometimes as many opinions as persons. This proves there will be ground to attack the decisions. Genet will appeal also; it will become a contest between the President and Genet—anonymous writers—will be same difference of opinion in *public*, as in our cabinet—will be same difference in *Congress*, for it must be laid before them—would, therefore work very unpleasantly *at home*. How would it work *abroad?* France—unkind—after such proofs of her friendship, should rely on that friendship and her justice. Why appeal to the world? Friendly nations always negotiate little differences in private. Never appeal to the world but when they appeal to the sword. Confederacy of Pilnitz was to overthrow the government of France. The interference of France to disturb other governments and excite insurrections was a measure of reprisal. Yet these Princes have been able to make it believed to be the system of France. Colonel Hamilton supposes Mr. Genet's proceedings here are in pursuance of that system; and we are so to declare it to the world, and to add our testimony to this base calumy of the princes. What a triumph to them to be backed by our testimony. What a fatal stroke at the cause of liberty; *et tu Brute*. We indispose the French government, and they will retract their offer of the treaty of commerce. The President manifestly inclined to the appeal to the people.* Knox, in a foolish incoherent sort of a speech, introduced the pasquinade lately printed, called the funeral of George W—n and James W—n, King and Judge, &c. where the President was placed on a guillotine. The President was much inflamed; got into one of those passions when he cannot command himself; ran on much on the personal abuse which had been bestowed on him; defied any man on earth to produce one single act of his since he had been in the government, which was not done on the purest motives; that he had never repented but once the having slipped the moment of resigning his office, and that was every moment since; that *by God* he had rather be in his grave than in his present situation; that he had rather be on his farm than to be made *Emperor of the world;* and yet that they were charging him with wanting to be a King. That that *rascal Freneau* sent him three of his papers every day, as if he thought he would become the distributor of his papers; that he could see in this, nothing but an impudent design to insult him; he ended in this high tone. There was a pause. Some difficulty in resuming our question; it was, however, after a little while, presented again, and he said there seemed to be no necessity for deciding it now; the propositions before agreed on might be put into a train of execution, and perhaps events would shew whether the appeal would be necessary or not. He desired we would meet at my office the next day, to consider what should be done with the vessels armed in our ports by Mr. Genet, and their prizes.

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* He said that Mr. Morris, taking a family dinner with him the other day, went largely, and of his own accord, into this subject; advised this appeal, and promised, if the President adopted it, that he would support it himself, and engage for all his connections. The President repeated this twice, and with an air of importance. Now Mr. Morris has no family connections; he engaged then for his political friends. This shews that the President has not confidence enough in the virtue and good sense of mankind, to confide in a government bottomed on them, and thinks other props necessary.

August the 3rd. We met. The President wrote to take our opinions, whether Congress should be called. Knox pronounced at once against it. Randolph was against it. Hamilton said his judgment was against it, but that if any two were for it, or against it, he would join them to make a majority. I was for it. We agreed to give separate opinions to the President. Knox said we should have had fine work, if Congress had been sitting these two last months. The fool thus let out the secret. Hamilton endeavoured to patch up the indiscretion of this blabber, by saying 'he did not know; he rather thought they would have strengthened the executive arm.' It is evident they do not wish to lengthen the session of the next *Congress*, and probably they particularly wish it should not meet till Genet is gone. At this meeting I received a letter from Mr. Remson at New York, informing me of the event of the combat between the Embuscade and the Boston. Knox broke out into the most unqualified abuse of Captain Courtnay. Hamilton, with less fury, but with the deepest vexation, loaded him with censures. Both shewed the most unequivocal mortification at the event.

August the 6th, 1793. The President calls on me at my house in the country, and introduces my letter of July the 31st, announcing that I should resign at the close of the next month. He again expressed his repentance at not having resigned himself, and how much it was increased by seeing that he was to be deserted by those on whose aid he had counted: that he did not know where he should look to find characters to fill up the offices; that mere talents did not suffice for the department of State, but it required a person conversant in foreign affairs, perhaps acquainted with foreign courts; that without this, the best talents would be awkward and at a loss. He told me that Colonel Hamilton had three or four weeks ago written to him, informing him that private as well as public reasons had brought him to the determination to retire, and that he should do it towards the close of the next session. He said he had often before intimated dispositions to resign, but never as decisively before; that he supposed he had fixed on the latter par of next session, to give an opportunity to Congress to examin into his conduct: that our going out at times so different increased his difficulty; for if he had both places to fill at once he might consult both the particular talents and geographica situation of our successors. He expressed great apprehension at the fermentation which seemed to be working in the mind the public; that many descriptions of persons, actuated by different causes, appeared to be uniting; what it would end in he knew not; a new Congress was to assemble, more numerous, perhaps of a different spirit; the first expressions of their sentiments would be important; if I would only stay to the end of that, it would relieve him considerably.

I expressed to him my excessive repugnance to public life, the particular uneasiness of my situation in this place, where the laws of society oblige me always to move exactly in the circle which I know to bear me peculiar hatred; that is to say, the wealthy aristocrats, the merchants connected closely with England, the new created paper fortunes; that thus surrounded, my words were caught, multiplied, misconstrued, and even fabricated and spread abroad to my injury; that he saw also, that there was such an opposition of views between myself and another part of the administration, as to render it peculiarly unpleasing, and to destroy the necessary harmony. Without knowing the views of what is called the republican party here, or having any communication with them, I could undertake to assure him, from my intimacy with that party in the late Congress, that there was not a view in the republican party as spread over the United States, which went to the frame of the government; that I believed the next Congress would attempt nothing material, but to render their own body independent; that that party were firm in their dispositions to support the government; that the manœuvres of Mr. Genet might produce some little embarrassment, but that he would be abandoned by the republicans the moment they knew the nature of his conduct; and, on the whole, no crisis existed which threatened any thing.

He said, he believed the views of the republican party were perfectly pure, but when men put a machine into motion, it is impossible for them to stop it exactly where they would choose, or to say where it will stop. That the constitution we have is an excellent one, if we can keep it where it is; that it was, indeed, supposed there was a party disposed to change it into a monarchical form, but that he could conscientiously declare there was not a man in the United States who would set his face more decidedly against it than himself. Here I interrupted him, by saying, 'No rational man in the United States suspects you of any other disposition; but there does not pass a week, in which we cannot prove declarations dropping from the monarchical party, that our government is good for nothing, is a milk and water thing which cannot support itself, we must knock it down, and set up something of more energy.'

He said, if that was the case, he thought it a proof of their insanity, for that the republican spirit of the Union was so manifest and so solid, that it was astonishing how any one could expect to move it.

He returned to the difficulty of naming my successor; he said Mr. Madison would be his first choice, but that he had always expressed to him such a decision against public office, that he could not expect he would undertake it. Mr. Jay would prefer his present office. He said that Mr. Jay had a great opinion of the talents of Mr. King; that there was also Mr. Smith, of South Carolina, and E. Rutledge: but he observed that, name whom he would, some objections would be made; some would be called speculators, some one thing, some another; and he asked me to mention any characters occurring to me. I asked him if Governor Johnson, of Maryland, had occurred to him? He said he had; that he was a man of great good sense, an honest man, and, he believed, clear of speculations: but this, says he, is an instance of what I was observing; with all these qualifications, Governor Johnson, from a want of familiarity with foreign affairs, would be in them like a fish out of water; every thing would be new to him, and he awkward in every thing. I confessed to him that I had considered Johnson rather as fit for the Treasury department. 'Yes,' says he, 'for that he would be the fittest appointment that could be made; he is a man acquainted with figures, and having as good a knowledge of the resources of this country as any man.' I asked him if Chancellor Livingston had occurred to him? He said, yes; but he was from New York, and to appoint him, while Hamilton was in, and before it should be known he was going out, would excite a newspaper conflagration, as the ultimate arrangement would not be known. He said McLurg had occurred to him as a man of first-rate abilities, but it is said that he is a speculator. He asked me what sort of a man Wolcot was. I told him I knew nothing of him myself; I had heard him characterized as a cunning man. I asked him whether some person could not take my office *par interim*, till he should make an appointment; as Mr. Randolph, for instance? 'Yes,' says he, 'but there you would raise the expectation of keeping it, and I do not know that he is fit for it, nor what is thought of Mr. Randolph.' I avoided noticing the last observation, and he put the question to me directly. I then told him, I went into society so little as to be unable to answer it: I knew that the embarrassments in his private affairs had obliged him to use expedients, which had injured him with the merchants and shopkeepers, and affected his character of independence; that these embarrassments were serious, and not likely to cease soon. He said, if I would only stay in till the end of another quarter (the last of December), it would get us through the difficulties of this year, and he was satisfied that the affairs of Europe would be settled with this campaign; for that either France would be overwhelmed by it, or the confederacy would give up the contest. By that time too, Congress will have manifested its character and views. I told him that I had set my private affairs in motion in a line which had powerfully called for my presence the last spring, and that they had suffered immensely from my not going home; that I had now calculated them to my return in the fall, and to fail in going then, would be the loss of another year, and prejudicial beyond measure. I asked him whether he could not name Governor Johnson to my office, under an express arrangement that at the close of the session he should take that of the Treasury? He said that men never chose to descend; that being once in a higher department, he would not like to go into a lower one. He asked me whether I could not arrange my affairs by going home. I told him I did not think the public business would admit of it; that there never was a day now, in which the absence of the Secretary of State would not be inconvenient to the public. And he concluded by desiring that I would take two or three days to consider whether I could not stay in till the end of another quarter, for that, like a man going to the gallows, he was willing to put it off as long as he could; but if I persisted, he must then look about him and make up his mind to do the best he could: and so he took leave.

November the 5th, 1793. E. Randolph tells me, that Hamilton, in conversation with him yesterday, said, 'Sir, if all the people in America were now assembled, and to call on me to say whether I am a friend to the French revolution, I would declare that *I have it in abhorrence*.'

November the 8th, 1793. At a conference at the President's, where I read several letters of Mr. Genet; on finishing one of them, I asked what should be the answer? The President thereupon took occasion to observe, that Mr. Genet's conduct continued to be of so extraordinary a nature, that he meant to propose to our serious consideration, whether he should not have his functions discontinued, and be ordered away? He went lengthily into observations on his conduct, to raise against the executive, 1. the people, 2. the State governments, 3. the Congress. He shewed he felt the venom of Genet's pen, but declared he would not choose his insolence should be regarded any further, than as might be thought to affect the honour of the country. Hamilton and Knox readily and zealously argued for dismissing Mr. Genet. Randolph opposed it with firmness, and pretty lengthily. The President replied to him lengthily, and concluded by saying he did not wish to have the thing hastily decided, but that we should consider of it, and give our opinions on his return from Reading and Lancaster.

Accordingly, November the 18th, we met at his house; read new volumes of Genet's letters, received since the President's departure; then took up the discussion of the subjects of communication to Congress. 1. The Proclamation. E. Randolph read the statement he had prepared; Hamilton did not like it; said much about his own views; that the President had a right to declare his opinion to our citizens and foreign nations; that it was not the interest of this country to join in the war, and that we were under no obligation to join in it; that though the declaration would not legally bind Congress, yet the President had a right to give his opinion of it, and he was against any explanation in the speech, which should yield that he did not intend that foreign nations should consider it as a declaration of neutrality, future as well as present; that he understood it as meant to give them that sort of assurance and satisfaction, and to say otherwise now, would be a deception on them. He was for the President's using such expressions, as should neither affirm his right to make such a declaration to foreign nations, nor yield it. Randolph and myself opposed the right of the President to declare any thing future on the question, shall there or shall there not be war, and that no such thing was intended; that Hamilton's construction of the effect of the proclamation, would have been a determination of the question of the *guarantee*, which we both denied to have intended, and I had at the time declared the executive incompetent to. Randolph said he meant that foreign nations should understand it as an intimation of the President's opinion, that neutrality would be our interest. I declared my meaning to have been, that foreign nations should understand no such thing; that, on the contrary, I would have chosen them to be doubtful, and to come and bid for our neutrality. I admitted the President, having received the nation at the close of Congress in a state of peace, was bound to preserve them in that state till Congress should meet again, and might proclaim any thing which went no farther. The President declared he never had an idea that he could bind Congress against declaring war, or that any thing contained in his proclamation could look beyond the first day of their meeting. His main view was to keep our people in peace; he apologised for the use of the term neutrality in his answers, and justified it, by having submitted the first of them (that to the merchants, wherein it was used) to our consideration, and we had not objected to the term. He concluded in the end, that Colonel Hamilton should prepare a paragraph on this subject for the speech, and it should then be considered. We were here called to dinner.

After dinner, the *renvoi* of Genet was proposed by himself. I opposed it on these topics. France, the only nation on earth sincerely our friend. The measure so harsh a one, that no precedent is produced where it has not been followed by war. Our messenger has now been gone eighty-four days; consequently, we may hourly expect the return, and to be relieved by their revocation of him. Were it now resolved on, it would be eight or ten days before the matter on which the order should be founded, could be selected, arranged, discussed and forwarded. This would bring us within four or five days of the meeting of Congress. Would it not be better to wait and see how the pulse of that body, new as it is, would beat? They are with us now, probably, but such a step as this may carry many over to Genet's side. Genet will not obey the order, &c. &c. The President asked me what I would do if Genet sent the accusation to us to be communicated to Congress, as he threatened in the letter to Moultrie? I said I would not send it to Congress; but either put it in the newspapers, or send it back to him to be published, if he pleased. Other questions and answers were put and returned in a quicker altercation than I ever before saw the President use. Hamilton was for the *renvoi;* spoke much of the dignity of the nation; that they were now to form their character; that our conduct now would tempt or deter other foreign ministers from treating us in the same manner; touched on the President's personal feelings; did not believe France would make it a cause of war; if she did, we ought to do what was right, and meet the consquences, &c. Knox on the same side, and said he thought it very possible Mr. Genet would either declare us a department of France, or levy troops here, and endeavour to reduce us to obedience. Randolph of my opinion, and argued chiefly on the resurrection of popularity to Genet, which might be produced by this measure, That at present he wa dead in the public opinion, if we would but leave him so The President lamented there was not unanimity among us that as it was, we had left him exactly where we found him and so it ended.

November the 21st. We met at the President's. Th manner of explaining to Congress the intentions of the proclamation, was the matter of debate. Randolph produce his way of stating it. This expressed its views to have been 1. to keep our citizens quiet; 2. to intimate to foreign nation that it was the President's opinion, that the interests and dispositions of this country were for peace. Hamilton produce his statement, in which he declared his intention to be, to sa nothing which could be laid hold of for any purpose; to leav the proclamation to explain itself. He entered pretty fully int all the argumentation of Pacificus; he justified the right o the President to declare his opinion for a *future neutrality* and that there existed no circumstances to oblige the Unite States to enter into the war on account of the guarantee; an that in agreeing to the proclamation, he meant it to be understood as conveying both these declarations; viz. neutralit and that the *casus fœderis* on the guarantee did not exist He admitted the Congress might declare war, notwithstanding these declarations of the President. In like manner, they might declare war in the face of a treaty, an in direct infraction of it. Among other positions laid dow by him, this was with great positiveness; that the constitution having given power to the President and Senate t make treaties, they might make a treaty of neutrality, whic should take from Congress the right to declare war in tha particular case, and that under the form of a treaty the might exercise any powers whatever, even those exclusivel given by the constitution to the House of Representative Randolph opposed this position, and seemed to think tha where they undertook to do acts by treaty, (as to settle tariff of duties,) which were exclusively given to the legislature, that an act of the legislature would be necessary to confirm them, as happens in England, when a treaty interfere with duties established by law. I insisted, that in giving t the President and Senate a power to make treaties, the constitution meant only to authorise them to carry into effect, b way of treaty, any powers they might constitutionally exe cise. I was sensible of the weak points in this position, b there were still weaker in the other hypothesis; and if it b mpossible to discover a rational measure of authority to ha been given by this clause, I would rather suppose that the cases which my hypothesis would leave unprovided, were not thought of by the convention, or if thought of, could not be agreed on, or were thought of and deemed unnecessary to be invested in the government. Of this last description, were treaties of neutrality, treaties offensive and defensive, &c. In every event, I would rather construe so narrowly as to oblige the nation to amend, and thus declare what powers they would agree to yield, than too broadly, and indeed, so broadly as to enable the executive and Senate to do things which the constitution forbids. On the question, which form of explaining the principles of the proclamation should be adopted, I declared for Randolph's, though it gave to that instrument more objects than I had contemplated. Knox declared for Hamilton's. The President said he had but one object, the keeping our people quiet till Congress should meet; that nevertheless, to declare he did not mean a declaration of neutrality, in the technical sense of the phrase, might perhaps be crying *peccavi* before he was charged. However, he did not decide between the two draughts.

November the 23rd. At the President's. Present, Knox, Randolph, and Th. Jefferson. Subject, the heads of the speech. One was, a proposition to Congress to fortify the principal harbours. I opposed the expediency of the General Government's undertaking it, and the expediency of the President's proposing it. It was amended, by substituting a proposition to adopt means for enforcing respect to the jurisdiction of the United States within its waters. It was proposed to recommend the establishment of a military academy. I objected that none of the specified powers given by the constitution to Congress, would authorise this. It was, therefore, referred for further consideration and inquiry. Knox was for both propositions. Randolph against the former, but said nothing as to the latter. The President acknowledged he had doubted of the expediency of undertaking the former; and as to the latter, though it would be a good thing, he did not wish to bring on any thing which might generate heat and ill humour. It was agreed that Randolph should draw the speech and the messages.

November the 28th. Met at the President's. I read over a list of the papers copying, to be communicated to Congress on the subject of Mr. Genet. It was agreed that Genet's letter of August the 13th to the President, mine of August the 16th, and Genet's of November to myself and the Attorney-General, desiring a prosecution of Jay and King, should not be sent to the legislature: on a general opinion, that the discussion of the fact certified by Jay and King, had better be left to the channel of the newspapers, and in the private hands in which it now is, than for the President to meddle in it, or give room to a discussion of it in Congress.

Randolph had prepared a draught of the speech. The clause recommending fortifications was left out; but that for a military academy was inserted. I opposed it, as unauthorised by the constitution. Hamilton and Knox approved it without discussion. Randolph was for it, saying that the words of the constitution authorising Congress to lay taxes, &c. *for the common defence*, might comprehend it. The President said he would not choose to recommend any thing against the constitution, but if it was *doubtful*, he was so impressed with the necessity of this measure, that he would refer it to Congress, and let them decide for themselves whether the constitution authorised it or not. It was, therefore, left in. I was happy to see that Randolph had, by accident, used the expression 'our republic,' in the speech. The President, however, made no objection to it, and so, as much as it had disconcerted him on a former occasion with me, it was now put into his own mouth to be pronounced to the two Houses of legislature.

No material alterations were proposed or made in any part of the draught.

After dinner, I produced the draught of messages on the subject of France and England, proposing that that relative to Spain should be subsequent and secret.

Hamilton objected to the draught *in toto;* said that the contrast drawn between the conduct of France and England amounted to a declaration of war; he denied that France had ever done us favours; that it was mean for a nation to acknowledge favours; that the dispositions of the people of this country towards France, he considered as a serious calamity; that the executive ought not, by an echo of this language, to nourish that disposition in the people; that the offers in commerce made us by France, were the offspring of the moment, of circumstances which would not last, and it was wrong to receive, as permanent, things merely temporary; that he could demonstrate that Great Britain shewed us more favours than France. In complaisance to him I whittled down the expressions without opposition; struck out that of 'favours antient and recent' from France; softened some terms, and omitted some sentiments respecting Great Britain. He still was against the whole, but insisted that, at any rate, it should be a secret communication, because the matters it stated were still depending. These were, 1. The inexecution of the treaty: 2. The restraining our commerce to their own ports and those of their friends. Knox joined Hamilton in every thing. Randolph was for the communications; that the documents respecting the first should be given in as public; but that those respecting the second should not be given to the legislature at all, but kept secret. I began to tremble now for the whole, lest all should be kept secret. I urged, especially, the duty now incumbent on the President, to lay before the legislature and the public what had passed on the inexecution of the treaty, since Mr. Hammond's answer of this month might be considered as the last we should ever have; that, therefore, it could no longer be considered as a negociation pending. I urged that the documents respecting the stopping our corn ought also to go, but insisted that if it should be thought better to withhold them, the restrictions should not go to those respecting the treaty; that neither of these subjects was more in a state of *pendency* than the recall of Mr. Genet, on which, nevertheless, no scruples had been expressed. The President took up the subject with more vehemence than I have seen him shew, and decided without reserve, that not only what had passed on the inexecution of the treaty should go in as public, (in which Hamilton and Knox had divided in opinion from Randolph and myself,) but also that those respecting the stopping our corn should go in as public (wherein, Hamilton, Knox, and Randolph had been against me). This was the first instance I had seen of his deciding on the opinion of one against that of three others, which proved his own to have been very strong.

December the 1st, 1793. Beckley tells me he had the following fact from Lear. Langdon, Cabot, and some others of the Senate, standing in a knot before the fire after the Senate had adjourned, and growling together about some measure which they had just lost; 'Ah!' said Cabot, 'things will never go right till you have a President for life, and an hereditary Senate.' Langdon told this to Lear, who mentioned it to the President. The President seemed struck with it, and declared he had not supposed there was a man in the United States who could have entertained such an idea.

March the 2nd, 1797. I arrived at Philadelphia to qualif
as Vice President, and called instantly on Mr. Adams, wh
lodged at Francis's, in Fourth-street. The next morning h
returned my visit at Mr. Madison's, where I lodged. H
found me alone in my room, and shutting the door himself
he said he was glad to find me alone, for that he wished a fre
conversation with me. He entered immediately on an expla
nation of the situation of our affairs with France, and th
danger of rupture with that nation, a rupture which woul
convulse the attachments of this country; that he was im
pressed with the necessity of an immediate mission to th
Directory; that it would have been the first wish of his hear
to have got me to go there, but that he supposed it was ou
of the question, as it did not seem justifiable for him to sen
away the person destined to take his place in case of acc
dent to himself, nor decent to remove from competition on
who was a rival in the public favour. That he had, ther
fore, concluded to send a mission, which, by its dignity
should satisfy France, and by its selection from the thre
great divisions of the continent, should satisfy all parts of th
United States; in short, that he had determined to joi
Gerry and Madison to Pinckney, and he wished me to consu
Mr. Madison for him. I told him that as to myself, I co
curred in the opinion of the impropriety of my leaving th
post assigned me, and that my inclinations, moreover, woul
never permit me to cross the Atlantic again; that I would,
he desired, consult Mr. Madison, but I feared it was desp
rate, as he had refused that mission on my leaving it, i
General Washington's time, though it was kept open a twelve
month for him. He said that if Mr. Madison should refuse
he would still appoint him, and leave the responsibility o
him. I consulted Mr. Madison, who declined as I expected
I think it was on Monday, the 6th of March, Mr. Adam
and myself met at dinner at General Washington's, and w
happened, in the evening, to rise from table and come awa
together. As soon as we got into the street, I told him th
event of my negociation with Mr. Madison. He immediatel
said, that, on consultation, some objections to that nominatio
had been raised which he had not contemplated; and wa
going on with excuses which evidently embarrassed him, whe
we came to Fifth-street, where our road separated, his bein
down Market-street, mine off along Fifth, and we took leave
and he never after that said one word to me on the subject,
ever consulted me as to any measures of the governmen
The opinion I formed at the time on this transaction, wa

that Mr. Adams, in the first moments of the enthusiasm of the occasion, (his inauguration,) forgot party sentiments, and as he never acted on any system, but was always governed by the feeling of the moment, he thought, for a moment, to steer impartially between the parties; that Monday, the 6th of March, being the first time he had met his cabinet, on expressing ideas of this kind, he had been at once diverted from them, and returned to his former party views.

July, 1797. Murray is rewarded for his services by an appointment to Amsterdam; W. Smith, of Charleston, to Lisbon.

August the 24th. About the time of the British treaty, Hamilton and Talleyrand, bishop of Autun, dined together, and Hamilton drank freely. Conversing on the treaty, Talleyrand says, 'Mais vraiment Monsieur Hamilton, ce n'est pas *bien honnête*, after making the Senate ratify the treaty, to advise the President to reject it.'—'The treaty,' says Hamilton, 'is an execrable one, and Jay was an old woman for making it; but the whole credit of saving us from it must be given to the President.' After circumstances had led to a conclusion that the President also must ratify it, he said to the same Talleyrand, 'Though the treaty is a most execrable one, yet when once we have come to a determination on it, we must carry it through thick and thin, right or wrong.' Talleyrand told this to Volney, who told it to me.

There is a letter now appearing in the papers, from Pickering to Monroe, dated July the 24th, 1797, which I am satisfied is written by Hamilton. He was in Philadelphia at that date.

December the 26th, 1797. Langdon tells me, that at the second election of President and Vice President of the United States, when there was a considerable vote given to Clinton in opposition to Mr. Adams, he took occasion to remark it in conversation in the Senate chamber with Mr. Adams, who, gritting his teeth, said, 'Damn 'em, damn 'em, damn 'em, you see that an elective government will not do.' He also tells me that Mr. Adams, in a late conversation, said, 'Republicanism must be disgraced, Sir.' The Chevalier Yrujo called on him at Braintree, and conversing on French affairs, and Yrujo expressing his belief of their stability, in opposition to Mr. Adams's, the latter lifting up and shaking his finger at him, said, 'I'll tell you what, the French republic will not last three months.' This I had from Yrujo.

Harper, lately, in a large company, was saying that the best thing the friends of the French could do, was to pray for the restoration of their monarch. 'Then,' says a bystander, 'the best thing we could do, I suppose, would be to pray for the establishment of a monarch in the United States.'—'Our people,' says Harper, 'are not yet ripe for it, but it is the best thing we can come to, and we shall come to it.' Something like this was said in presence of Findlay. He now denies it in the public papers, though it can be proved by several members.

December the 27th. Tenche Coxe tells me, that a littl before Hamilton went out of office, or just as he was goin out, taking with him his last conversation, and among othe things, on the subject of their differences, 'For my part,' say he, 'I avow myself a monarchist; I have no objection to trial being made of this thing of a republic; but,' &c.

January the 5th, 1798. I receive a very remarkable fac indeed, in our history, from Baldwin and Skinner. Befor the establishment of our present government, a very extensiv combination had taken place in New York and the easter States, among that description of people who were partl monarchical in principle, or frightened with Shay's rebellio and the impotence of the old Congress. Delegates in different places had actually had consultations on the subject o seizing on the powers of a government, and establishing them by force; had corresponded with one another, and had sen a deputy to General Washington to solicit his co-operation He refused to join them. The new convention was in th mean time proposed by Virginia and appointed. Thes people believed it impossible the States should ever agree o a government, as this must include the impost and all th other powers which the States had, a thousand times, refuse to the general authority. They therefore let the propose convention go on, not doubting its failure, and confiding tha on its failure would be a still more favourable moment fo their enterprise. They therefore wished it to fail, and especially, when Hamilton, their leader, brought forward hi plan of Government, failed entirely in carrying it, and retire in disgust from the convention. His associates then too every method to prevent any form of government being agree to. But the well-intentioned never ceased trying, first o thing, then another, till they could get something agreed to. The final passage and adoption of the constitution completely defeated the views of the combination, and saved us from an attempt to establish a government over us by force. This fact throws a blaze of light on the conduct of several members from New York and the eastern States in the convention of Annapolis, and the grand convention. At that of Annapolis, several eastern members most vehemently opposed Madison's proposition for a more general convention, with more general powers. They wished things to get more and more into confusion, to justify the violent measure they proposed. The idea of establishing a government by reasoning and agreement, they publicly ridiculed as an Utopian project, visionary and unexampled.

February the 6th, 1798. Mr. Baldwin tells me, that in a conversation yesterday with Goodhue, on the state of our affairs, Goodhue said, 'I'll tell you what, I have made up my mind on this subject: I would rather the old ship should go down than not;' (meaning the Union of the States.) Mr. Hillhouse coming up, 'Well,' says Mr. Baldwin, 'I'll tell my old friend Hillhouse what you say;' and he told him. 'Well,' says Goodhue, 'I repeat that I would rather the old ship should go down, if we are to be always kept pumping so.'—'Mr. Hillhouse,' says Baldwin, 'you remember when we were learning logic together at school, there was the case *categorical* and the case *hypothetical*. Mr. Goodhue stated it to me first as the case categorical. I am glad to see that he now changes it to the case hypothetical, by adding, 'if we are always to be kept pumping so.' Baldwin went on then to remind Goodhue what an advocate he had been for our tonnage duty, wanting to make it one dollar instead of fifty cents; and how impatiently he bore the delays of Congress in proceeding to retaliate on Great Britain before Mr. Madison's propositions came on. Goodhue acknowledged that his opinions had changed since that.

February the 15th, 1798. I dined this day with Mr. Adams (the President). The company was large. After dinner I was sitting next to him, and our conversation was first on the enormous price of labour,* house rent, and other things. We both concurred in ascribing it chiefly to the floods of bank paper now afloat, and in condemning those institutions. We then got on the constitution; and in the course of our conversation he said, that no republic could ever last which had not a Senate, and a Senate deeply and strongly rooted, strong enough to bear up against all popular storms and passions; that he thought our Senate as well constituted as it could have been, being chosen by the legislatures; for if these could not support them, he did not know what could do it; that perhaps it might have been as well for them to be chosen by the State at large, as that would insure a choice of distinguished men, since none but such could be known to a whole people; that the only fault in our Senate, was, that it was not durable enough; that hitherto, it had behaved very well; however, he was afraid they would give way in the end. That as to trusting to a popular assembly for the preservation of our liberties, it was the merest chimera imaginable; they never had any rule of decision but their own will; that he would as lieve be again in the hands of our old committees of safety, who made the law and executed it at the same time; that it had been observed by some writer, (I forget whom he named,) that anarchy did more mischief in one night, than tyranny in an age; and that in modern times we might say with truth, that in France, anarchy had done more harm in one night, than all the despotism of their kings had ever done in twenty or thirty years. The point in which he views our Senate, as the colossus of the constitution, serves as a key to the politics of the Senate, who are two-thirds of them in his sentiments, and accounts for the bold line of conduct they pursue.

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* He observed, that eight or ten years ago, he gave only fifty dollars to a common labourer for his farm, finding him food and lodging. Now he gives one hundred and fifty dollars, and even two hundred dollars to one.

March the 1st. Mr. Tazewell tells me, that when the appropriations for the British treaty were on the carpet, and very uncertain in the lower House, there being at that time a number of bills in the hands of committees of the Senate none reported, and the Senate idle for want of them, he, in his place, called on the committees to report, and particularly on Mr. King, who was of most of them. King said that i was true the committees kept back their reports, waiting th event of the question about appropriation: that if that wa not carried, they considered legislation as at an end; tha they might as well break up and consider the Union as dis solved. Tazewell expressed his astonishment at these ideas and called on King to know if he had misapprehended him King rose again and repeated the same words. The ne day, Cabot took an occasion in debate, and so awkward a one as to shew it was a thing agreed to be done, to repeat the same sentiments in stronger terms, and carried further, by declaring a determination on their side to break up and dissolve the government.

March the 11th. In conversation with Baldwin, and Brown, of Kentucky, Brown says, that in a private company once, consisting of Hamilton, King, Madison, himself, and some one else making a fifth, speaking of the '*federal government*,' 'Oh!' says Hamilton, 'say the *federal monarchy*, let us call things by their right names, for a monarchy it is.'

Baldwin mentions at table the following fact. When the bank bill was under discussion in the House of Representatives, Judge Wilson came in, and was standing by Baldwin. Baldwin reminded him of the following fact which passed in the grand convention. Among the enumerated powers given to Congress, was one to erect corporations. It was, on debate, struck out. Several particular powers were then proposed. Among others, Robert Morris proposed to give Congress a power to establish a national bank. Gouverneur Morris opposed it, observing that it was extremely doubtful whether the constitution they were framing could ever be passed at all by the people of America; that to give it its best chance, however, they should make it as palatable as possible, and put nothing into it not very essential, which might raise up enemies; that his colleague (Robert Morris) well knew that 'a bank' was in their State, (Pennsylvania,) the very watchword of party; that *a bank* had been the great bone of contention between the two parties of the State, from the establishment of their constitution, having been erected, put down, and erected again, as either party preponderated; that therefore, to insert this power, would instantly enlist against the whole instrument the whole of the anti-bank party in Pennsylvania. Whereupon it was rejected, as was every other special power, except that of giving copyrights to authors, and patents to inventors; the general power of incorporating being whittled down to this shred. Wilson agreed to the fact.

Mr. Hunter of South Carolina, who lodges with Rutledge,* tells me, that Rutledge was explaining to him the plan they proposed to pursue as to war measures, when Otis came i Rutledge addressed Otis. ‘Now, Sir,’ says he, ‘you must con forward with something liberal for the southern States, forti their harbours and build gallies, in order to obtain their co currence.’ Otis said, ‘We insist on convoys for our Europe trade, and *guarda costas*, on which condition alone, we w give them gallies and fortifications.’ Rutledge observed, th in the event of war, McHenry and Pickering must go ou Wolcott, he thought, might remain, but the others were inc pable of conducting a war. Otis said the eastern peop would never abandon Pickering, he must be retained McHenry might go. They considered together wheth General Pinckney would accept the office of Secretary War. They apprehended he would not. It was agreed this conversation, that Sewall had more the ear of the Pre dent than any other person.

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* J. Rutledge, junior.

March the 12th. When the bill for appropriations w before the Senate, Anderson moved to strike out a clau recognising (by way of appropriation) the appointment of committee by the House of Representatives, to sit during th recess to collect evidence on Blount's case, denying they h power, but by a law, to authorise a committee to sit duri recess. Tracy advocated the motion, and said, ‘We may well speak out. The committee was appointed by t House of Representatives, to take care of the Briti minister, to take care of the Spanish minister, to take care the Secretary of State, in short, to take care of the Preside of the United States. They were afraid the President a Secretary of State would not perform the office of collecti evidence faithfully; that there would be collusion, &c. Ther fore, the House appointed a committee of their own. V shall have them next sending a committee to Europe to ma a treaty, &c. Suppose that the House of Representativ should resolve, that after the adjournment of Congress, th should continue to sit as a committee of the whole Hou during the whole recess.’ This shews how the appointm of that committee has been viewed by the President's frien

April the 5th. Doctor Rush tells me he had it from M Adams, that not a scrip of a pen has passed between the l and present President, since he came into office.

April the 13th. New instructions of the British Gove ment to their armed ships now appear, which clearly infri their treaty with us, by authorising them to take our vessels carrying produce of the French colonies from those colonies to Europe, and to take vessels bound to a blockaded port. See them in Brown's paper, of April the 18th, in due form.

The President has sent a government brig to France, probably to carry despatches. He has chosen as the bearer of these, one Humphreys, the son of a ship carpenter, ignorant, under age, not speaking a word of French, most abusive of that nation; whose only merit is, the having mobbed and beaten Bache on board the frigate built here, for which he was indicted and punished by fine.

April the 25th. At a dinner given by the bar to the federal judges, Chase and Peters, present about twenty-four lawyers, and William Tilghman in the chair, this toast was given; 'Our *King* in old England.' Observe the *double entendre* on the word King. Du Ponceau, who was one of the bar present, told this to Tenche Coxe, who told me in presence of H. Tazewell. Dallas was at the dinner; so was Colonel Charles Sims of Alexandria, who is here on a law suit *v.* General Irving.

May the 3rd. The President some time ago appointed Steele of Virginia, a commissioner to the Indians, and recently Secretary of the Mississippi Territory. Steele was a Counsellor of Virginia, and was voted out by the Assembly because he turned tory. He then offered for Congress, and was rejected by the people. Then offered for the Senate of Virginia, and was rejected. The President has also appointed Joseph Hopkinson commissioner to make a treaty with the Oneida Indians. He is a youth of about twenty-two or twenty-three, and has no other claims to such an appointment than extreme toryism,' and the having made a poor song to the tune of the President's march.

October the 13th, 1798. Littlepage, who has been on one or two missions from Poland to Spain, said that when Gardoqui returned from America, he settled with his court an account of secret service money, of six hundred thousand dollars. *Ex-relatione* Colonel Monroe.

January, 1799. In a conversation between Doctor Ewen and the President, the former said one of his sons was an aristocrat, the other a democrat. The President asked if it was not the youngest who was the democrat? 'Yes,' said Ewen. 'Well,' said the President, 'a boy of fifteen, who is not a democrat is good for nothing, and he is no better who is a democrat at twenty.' Ewen told Hurt, and Hurt told me.

January the 14th. Logan tells me that in his conversation with Pickering on his arrival, the latter abused Gerry very much; said he was a traitor to his country, and had deserted the post to which he was appointed; that the French temporised at first with Pinckney, but found him too much of a man for their purpose. Logan observing, that notwithstanding the pacific declarations of France, it might still be well to keep up the military ardour of our citizens, and to have the militia in good order: 'The militia!' said Pickering, 'the militia never did any good to this country, except in the single affair of Bunker's Hill; that we must have a standing army of fifty thousand men, which being stationed in different parts of the continent, might serve as rallying points for the militia, and so render them of some service.' In his conversation with Mr. Adams, Logan mentioned the willingness of the French to treat with Gerry. 'And do you know why?' said Mr. Adams. 'Why, Sir?' said Logan. 'Because,' said Mr. Adams, 'they know him to have been an anti-federalist, against the constitution.'

January the 2nd, 1800. Information from Tenche Coxe. Mr. Liston had sent two letters to the Governor of Canada, by one Sweezy. He had sent copies of them, together with a third, (original,) by one Cribs. Sweezy was arrested, (being an old horse thief,) and his papers examined. T. Coxe had a sight of them. As soon as a rumour got out that there were letters of Mr. Liston disclosed, but no particulars yet mentioned, Mr. Liston suspecting that *Cribs* had betrayed him, thought it best to bring all his *three* letters, and lay them before Pickering, Secretary of State. Pickering thought them all very innocent. In his office they were seen by a Mr. Hodgen, of New Jersey, commissary of military stores, and the intimate friend of Pickering. It happens that there is some land partnership between Pickering, Hodgen, and Coxe, so that the latter is freely and intimately visited by Hodgen, who, moreover, speaks freely with him on political subjects. They were talking the news of the day, when Mr. Coxe observed that these intercepted letters of Liston, were serious things (nothing being yet out but a general rumour). Hodgen asked which he thought the most serious. Coxe said the second (for he knew yet of no other). Hodgen said he thought little of any of them, but that the third was the most exceptionable. This struck Coxe, who, not betraying his ignorance of a third letter, asked generally what part of that he alluded to. Hodgen said to that wherein he *assured the Governor of Canada, that if the French invaded Canada, an army would be marched from these States to his assistance.* After this it became known that it was Sweezy who was arrested, and not Cribs; so that Mr. Liston had made an unnecessary disclosure of his third letter to Mr. Pickering, who, however, keeps his secret for him. In the beginning of the conversation between Hodgen and Coxe, Coxe happened to name Sweezy as the bearer of the letters. 'That's not his name,' says Hodgen, (for he did not know that two of the letters had been sent by Sweezy also) 'his name is Cribs.' This put Coxe on his guard, and set him to fishing for the new matter.

January the 10th. Docter Rush tells me that he had it from Samuel Lyman, that during the X. Y. Z. Congress, the federal members held the largest caucus they have ever had, at which he was present, and the question was proposed and debated, whether they should declare war against France, and determined in the negative. Lyman was against it.

He tells me, that Mr. Adams told him, that when he came on in the fall to Trenton, he was there surrounded constantly by the opponents of the late mission to France. That Hamilton pressing him to delay it, said, 'Why, Sir, by Christmas, Louis the XVIII. will be seated on his throne.' Mr. A. 'By whom?' H. 'By the coalition.' Mr. A. 'Ah! then farewell to the independence of Europe. If a coalition, moved by the finger of England, is to give a government to France, there is an end to the independence of every country.'

January the 12th. General Samuel Smith says that Pickering, Wolcott, and McHenry, wrote a joint letter from Trenton to the President, then at Braintree, dissuading him from the mission to France. Stoddard refused to join in it. Stoddard says the instructions are such, that if the Directory have any disposition to reconciliation, a treaty will be made. He observed to him also, that Ellsworth looks beyond this mission to the Presidential chair. That with this view, he will endeavour to make a treaty, and a good one. That Davie has the same vanity and views. All this communicated by Stoddard to S. Smith.

inuary the 13th. Baer and Harrison G. Otis told J.
holas, that in the caucus mentioned ante 10th, there wanted
. five votes to produce a declaration of war. Baer was
inst it.

anuary the 19th. W. C. Nicholas tells me, that in a con-
sation with Dexter three or four days ago, he asked Dex-
whether it would not be practicable for the States to
ee on some uniform mode of choosing electors of Presi-
.t. Dexter said, 'I suppose you would prefer an election
districts.' 'Yes,' said Nicholas, 'I think it would be
t; but would nevertheless agree to any other consistent
ı the constitution.' Dexter said he did not know what
ht be the opinion of his State, but his own was, that no
le of *election* would answer any good purpose; that he
ıld prefer one *for life*. 'On that reasoning,' said Nicholas,
ıu should prefer an hereditary one.' 'No,' he said, 'we are
ripe for that yet. I suppose,' added he, 'this doctrine is
very popular with you?' 'No,' said Nicholas, 'it would
:tually damn any man in my State.' 'So it would in mine,'
Dexter; 'but I am under no inducement to belie my sen-
.ent, I have nothing to ask from any body; I had rather
at home than here, therefore I speak my sentiments freely.'
Mr. Nicholas, a little before or after this, made the same proposition of an uniform election to Ross, who replied that he saw no good in any kind of election. 'Perhaps,' said he, 'the present one may last awhile.' On the whole, Mr. Nicholas thinks he perceives in that party, a willingness and a wish to let every thing go from bad to worse, to amend nothing, in hopes it may bring on confusion, and open a door to the kind of government they wish. In a conversation with Gunn, who goes with them, but thinks in some degree with us, Gunn told him that the very game which the minority of Pennsylvania is now playing with McKean, (see substitute of minority in lower House, and address of Senate in upper,) was meditated by the same party in the federal government, in case of the election of a republican President; and that the eastern States would in that case throw things into confusion, and break the Union. That they have in a great degree got rid of their paper, so as no longer to be creditors, and the moment they cease to enjoy the plunder of the immense appropriations now exclusively theirs, they would aim at some other order of things.

January the 24th. Mr Smith, a merchant of Hamburg, gives me the following information. The St. Andrew's Club, of New-York, (all of Scotch tories,) gave a public dinner lately. Among other guests Alexander Hamilton was one. After dinner, the first toast was, 'The President of the United States.' It was drunk without any particular approbation. The next was, 'George the Third.' Hamilton started up on his feet, and insisted on a bumper and three cheers. The whole company accordingly rose and gave the cheers. One of them, though a federalist, was so disgusted at the partiality shewn by Hamilton to a foreign sovereign over his own President, that he mentioned it to a Mr. Schwarthouse, an American merchant of New York, who mentioned it to Smith.

Mr. Smith also tells me, that calling one evening on Mr. Evans, then Speaker of the House of Representatives of Pennsylvania, and asking the news, Evans said, Harper had been just there, and speaking of the President's setting out to Braintree, said, 'he prayed to God that his horses might run away with him, or some other accident happen to break his neck before he reached Braintree.' This was in indignation at his having named Murray, &c. to negotiate with France. Evans approved of the wish.

February the 1st. Doctor Rush tells me that he had it from Asa Green, that when the clergy addressed General Washington on his departnre from the government, it was observed in their consultation, that he had never, on any occasion, said a word to the public, which shewed a belief in the Christian religion, and they thought they should so pen their address, as to force him at length to declare publicly whether he was a Christian or not. They did so. However, he observed, the old fox was too cunning for them. He answered every article of their address particularly, except that, which he passed over without notice. Rush observes, he never did say a word on the subject in any of his public papers, except in his valedictory letter to the Governors of the States, when he resigned his commission in the army, wherein he speaks of 'the benign influence of the Christian religion.'

I know that Gouverneur Morris, who pretended to be in his secrets, and believed himself to be so, has often told me that General Washington believed no more of that system than he himself did.

March, 1800. Heretical doctrines maintained in Senate, on the motion against the Aurora. That there is in every legal body of men a right of self-preservation, authorising them to do whatever is necessary for that purpose, by Tracy, Read, and Lawrence. That the common law authorises the proceeding proposed against the Aurora, and is in force here: by Read. That the privileges of Congress are and ought to be indefinite: by Read.

Tracy says, he would not say exactly that the common law of England in all its extent is in force here; but common sense, reason, and morality, which are the foundations of the common law, are in force here, and establish a common law. He held himself so nearly half way between the common law of England and what every body else has called natural law, and not common law, that he could hold to either the one or the other, as he should find expedient.

Dexter maintained that the common law, as to crimes, is in force in the United States.

Chipman says, that the principles of common right are common law.

March the 11th. Conversing with Mrs. Adams on the subject of the writers in the newspapers, I took occasion to mention that I never in my life had, directly or indirectly, written one sentence for a newspaper; which is an absolute truth. She said that Mr. Adams, she believed, had pretty well ceased to meddle in the newspapers, since he closed the pieces on Davila. This is the first direct avowal of that work to be his, though long and universally understood to be so.

March the 14th. Freneau, in Charleston, had the printing of the laws in his paper. He printed a pamphlet of Pinckney's letters on Robbins' case. Pickering has given the printing of the laws to the tory paper of that place, though not of half the circulation. The printing amounted to about one hundred dollars a year.

March the 24th. Mr. Perez Morton, of Massachusetts, tells me that Thatcher, on his return from the war Congress, declared to him he had been for a declaration of war against France, and many others also; but that on counting noses they found they could not carry it, and therefore did not attempt it.

March the 27th. Judge Breckenridge gives me the following information. He and Mr. Ross were originally very intimate; indeed, he says, he found him keeping a little Latin school, and advised and aided him in the study of the law, and brought him forward. After Ross became a Senator, and particularly at the time of the western insurrection, they still were in concert. After the British treaty, Ross, on his return, informed him there was a party in the United States who wanted to overturn the government, who were in league with France; that France, by a secret article of treaty with Spain, was to have Louisiana; and that Great Britain was likely to be our best friend and dependence. On this information, he, Breckenridge, was induced to become an advocate for the British treaty. During this intimacy with Ross, he says, that General Collot, in his journey to the western country, called on him, and he frequently led Breckenridge into conversations on their grievances under the government, and particularly the western expedition; that he spoke to him of the advantages that country would have in joining France when she should hold Louisiana; shewed him a map he had drawn of that part of the country; pointed out the passes in the mountain, and the facility with which they might hold them against the United States, and with which France could support them from New Orleans. He says, that in these conversations, Collot let himself out without common prudence. He says, Michaud, (to whom I, at the request of Genet, had given a letter of introduction to the Governor of Kentucky as a botanist, which was his real profession,) called on him; that Michaud had a commissary's commission for the expedition, which Genet had planned from that quarter against the Spaniards; that ——, the late Spanish commandant of St. Genevieve, with one Powers, an Englishman, called on him. That from all these circumstances, together with Ross's stories, he did believe that there was a conspiracy to deliver our country, or some part of it at least, to the French; that he made notes of what passed between himself and Collot and the others, and lent them to Mr. Ross, who gave them to the President, by whom they were deposited in the office of the Board of War; that when he complained to Ross of this breach of confidence, he endeavoured to get off by compliments on the utility and importance of his notes. They now cooled towards each other; and his opposition to Ross's election as Governor has separated them in truth, though not entirely to appearance.

Doctor Rush tells me, that within a few days he has heard a member of Congress lament our separation from Great Britain, and express his sincere wishes that we were again dependent on her.

December the 25th, 1800. Colonel Hitchburn tells me what Colonel Monroe had before told me of, as coming from Hitchburn. He was giving me the characters of persons in Massachusetts. Speaking of Lowell, he said he was, in the beginning of the Revolution, a timid whig, but as soon as he found we were likely to prevail, he became a great office hunter. And in the very breath of speaking of Lowell, he stopped: says he, I will give you a piece of information which I do not venture to speak of to others. There was a Mr. Hale in Massachusetts, a reputable, worthy man, who, becoming a little embarrassed in his affairs, I aided him, which made him very friendly to me. He went to Canada on some business. The Governor there took great notice of him. On his return, he took occasion to mention to me that he was authorised by the Governor of Canada, to give from three to five thousand guineas each to himself and some others, to induce them, not to do any thing to the injury of their country, but to befriend a good connection between England and it. Hitchburn said he would think of it, and asked Hale to come and dine with him to-morrow. After dinner he drew Hale fully out. He told him he had his doubts, but particularly, that he should not like to be alone in such a business. On that, Hale named to him four others who were to be engaged, two of whom, said Hitchburn, are now dead, and two living. Hitchburn, when he had got all he wanted out of Hale, declined in a friendly way. But he observed those four men, from that moment, to espouse the interests of England in every point and on every occasion. Though he did not name the men to me, yet as the speaking of Lowell was what brought into his head to tell me this anecdote, I concluded he was one. From other circumstances respecting Stephen Higginson, of whom he spoke, I conjectured him to be the other living one.

December the 26th. In another conversation, I mentioned to Colonel Hitchburn, that though he had not named names, I had strongly suspected Higginson to be one of Hales's men. He smiled, and said, if I had strongly suspected any man wrongfully, from his information, he would undeceive me; that there were no persons he thought more strongly to be suspected himself, than Higginson and Lowell. I considered this as saying they were the men. Higginson is employed in an important business about our navy.

February the 12th, 1801. Edward Livingston tells me, that Bayard applied to-day, or last night, to General Samuel Smith, and represented to him the expediency of his coming over to the States who vote for Burr; that there was nothing in the way of appointment which he might not command, and particularly mentioned the Secretaryship of the Navy. Smith asked him if he was authorised to make the offer. He said he was authorised. Smith told this to Livingston, and to W. C. Nicholas, who confirms it to me. Bayard, in like manner, tempted Livingston, not by offering any particular office, but by representing to him his (Livingston's) intimacy and connexion with Burr; that from him he had every thing to expect, if he would come over to him. To Doctor Linn, of New Jersey, they have offered the government of New Jersey. See a paragraph in Martin's Baltimore paper, of February the 10th, signed, 'A LOOKER-ON,' stating an intimacy of views between Harper and Burr.

February the 14th. General Armstrong tells me, that Gouverneur Morris, in conversation with him, to-day, on the scene which is passing, expressed himself thus: 'How comes it,' says he, 'that Burr, who is four hundred miles off (at Albany), has agents here at work, with great activity, while Mr. Jefferson, who is on the spot, does nothing?' This explains the ambiguous conduct of himself and his nephew, Lewis Morris, and that they were holding themselves free for a price, *i. e.* some office, either to the uncle or nephew.

February the 16th. See in the Wilmington Mirror, of February the 14th, Mr. Bayard's elaborate argument to prove that the common law, as modified by the laws of the respective States, at the epoch of the ratification of the constitution, attached to the courts of the United States.

June the 23d, 1801. Andrew Ellicot tells me, that in a conversation, last summer, with Major William Jackson, of Philadelphia, on the subject of our intercourse with Spain, Jackson said we had managed our affairs badly; that he himself was the author of the papers against the Spanish minister, signed "AMERICANUS;" that his object was irritation; that he was anxious, if it could have been brought about, to have plunged us into a war with Spain, that the people might have been occupied with that, and not with the conduct of the administration, and other things they had no business to meddle with.

December the 13th, 1803. The Reverend Mr. Coffin, of New England, who is now here, soliciting donations for a college, in Greene county, in Tennessee, tells me, that when he first determined to engage in this enterprise, he wrote a paper, recommendatory of the enterprise, which he meant to get signed by clergymen, and a similar one for persons in a civil character, at the head of which he wished Mr. Adams to put his name, he being then President, and the application going only for his name, and not for a donation. Mr. Adams, after reading the paper, and considering, said, 'He saw no possibility of continuing the union of the States; that their dissolution must necessarily take place; that he, therefore, saw no propriety, in recommending to New England men to promote a literary institution in the south; that it was, in fact, giving strength to those who were to be their enemies, and, therefore, he would have nothing to do with it.'

December the 31st. After dinner, to-day, the pamphlet on the conduct of Colonel Burr being the subject of conversation, Matthew Lyon noticed the insinuations against the republicans at Washington, pending the Presidential election, and expressed his wish that every thing was spoken out which was known; that it would then appear on which side there was a bidding for votes; and he declared, that John Brown, of Rhode Island, urging him to vote for Colonel Burr, used these words, 'What is it you want, Colonel Lyon? Is it office? Is it money? Only say what you want, and you shall have it.'

January the 2d, 1804. Colonel Hitchborn, of Massachusetts, reminding me of a letter he had written me from Philadelphia, pending the Presidential election, says, he did not therein give the details. That he was in company, at Philadelphia, with Colonel Burr and * * * * * * * *: that in the course of the conversation on the election, Colonel Burr said, 'We must have a President, and a constitutional one, in some way.'—'How is it to be done?' says Hitchburn, 'Mr. Jefferson's friends will not quit him, and his enemies are not strong enough to carry another?'—'Why,' says Burr, 'our friends must join the Federalists, and give the President.' The next morning, at breakfast, Colonel Burr repeated nearly the same, saying, 'We cannot be without a

President, our friends must join the federal vote.'—' But,' says Hitchburn, ' we shall then be without a Vice-President. Who is to be our Vice-President?' Colonel Burr answered, ' Mr. Jefferson.'

January 26th. Colonel Burr, the Vice-President, calls on me in the evening, having previously asked an opportunity of conversing with me. He began, by recapitulating, summarily, that he had come to New York a stranger, some years ago; that he found the country in possession of two rich families (the Livingstons and Clintons); that his pursuits were not political, and he meddled not. When the crisis, however, of 1800 came on, they found their influence worn out, and solicited his aid with the people. He lent it without any views of promotion. That his being named as a candidate for Vice-President,was unexpected by him. He acceded to it with a view to promote my fame and advancement, and from a desire to be with me, whose company and conversation had always been fascinating to him. That since, those great families had become hostile to him, and had excited the calumnies which I had seen published. That in this Hamilton had joined, and had even written some of the pieces against him. That his attachment to me had been sincere, and was still unchanged, although many little stories had been carried to him, and, he supposed, to me also, which he despised; but that attachments must be reciprocal, or cease to exist, and therefore he asked if any change had taken place in mine towards him; that he had chosen to have this conversation with myself directly, and not through any intermediate agent. He reminded me of a letter, written to him about the time of counting the votes (say February 1801), mentioning that his election had left a chasm in my arrangements; that I had lost him from my list in the administration, &c. He observed, he believed it would be for the interest of the republican cause for him to retire; that a disadvantageous schism would otherwise take place; but that were he to retire, it would be said he shrunk from the public sentence, which he never would do; that his enemies were using my name to destroy him, and something was necessary from me to prevent and deprive them of that weapon—some mark of favour from me, which would declare to the world that he retired with my confidence.

I answered, by recapitulating to him what had been my conduct, previous to the election of 1800. That I had never interfered, directly or indirectly, with my friends, or any o influence the election, either for him or myself: I considered it as my duty to be merely passive, except t, in Virginia, I had taken some measures to procure for the unanimous vote of that State, because I thought any ure there might be imputed to me. That in the election coming on, I was observing the same conduct; held no ncils with any body respecting it, nor suffered any one to ak to me on the subject, believing it my duty to leave elf to the free discussion of the public; that I do not at moment know, nor have ever heard, who were to be oposed as candidates for the public choice, except so far as uld be gathered from the newspapers. That as to the attack cited against him in the newspapers, I had noticed it but as the sing wind; that I had seen complaints, that Cheetham, em- yed in publishing the la should be permitted to eat the blic bread, and abuse its seco officer: that as to this, the pub- ers of the laws were appointed by the Secretary of State, thout any reference to me; at to make the notice general, as often given to one rep lican and one federal printer he same place; that these ederal printers did not in the st intermit their abuse of me, though receiving emoluments m the government, and that I have never thought it proper interfere for myself, and consequently not in the case of the Vice President. That as to the letter he referred to, I remembered it, and believed he had only mistaken the date at which it was written; that I thought it must have been on the first notice of the event of the election of South Carolina; and that I had taken that occasion to mention to him, that I had intended to have proposed to him one of the great offices, if he had not been elected; but that his election, in giving him a higher station, had deprived me of his aid in the administration. The letter alluded to was, in fact, mine to him of December the 15th, 1800. I now went on to explain to him verbally, what I meant by saying I had lost him from my list. That in General Washington's time, it had been signified to him that Mr. Adams, the Vice President, would be glad of a foreign embassy; that General Washington mentioned it to me, expressed his doubts whether Mr. Adams was a fit character for such an office, and his still greater doubts, indeed, his conviction, that it would not be justifiable to send away the person who, in case of his death, was provided by the constitution to take his place; that it would moreover appear indecent for him to be disposing of the public trusts, in apparently buying off a competitor for the public favour. I concurred with him in the opinion, and, if

I recollect rightly, Hamilton, Knox, and Randolph were consulted, and gave the same opinions. That when Mr. Adams came to the administration, in his first interview with me, he mentioned the necessity of a mission to France, and how desirable it would have been to him if he could have got me to undertake it; but that he conceived it would be wrong in him to send me away, and assigned the same reasons General Washington had done; and, therefore, he should appoint Mr. Madison, &c. That I had myself contemplated his (Colonel Burr's) appointment to one of the great offices, in case he was not elected Vice President; but that as soon as that election was known, I saw it could not be done, for the good reasons which had led General Washington and Mr. Adams to the same conclusion; and, therefore, in my first letter to Colonel Burr, after the issue was known, I had mentioned to him that a chasm in my arrangements had been produced by this event. I was thus particular in rectifying the date of this letter, because it gave me an opportunity of explaining the grounds on which it was written, which were, indirectly, an answer to his present hints. He left the matter with me for consideration, and the conversation was turned to indifferent subjects. I should here notice, that Colonel Burr must have thought I could swallow strong things in my own favour, when he founded his acquiescence in the nomination as Vice President, to his desire of promoting my honour, the being with me, whose company and conversation had always been fascinating with him, &c. I had never seen Colonel Burr till he came as a member of Senate. His conduct very soon inspired me with distrust. I habitually cautioned Mr. Madison against trusting him too much. I saw afterwards, that under General Washington's and Mr. Adams's administrations, whenever a great military appointment or a diplomatic one was to be made, he came post to Philadelphia to shew himself, and in fact that he was always at market, if they had wanted him. He was, indeed, told by Dayton in 1800, he might be Secretary at War; but this bid was too late. His election as Vice President was then foreseen. With these impressions of Colonel Burr, there never had been an intimacy between us, and but little association. When I destined him for a high appointment, it was out of respect for the favour he had obtained with the republican party, by his extraordinary exertions and success in the New York election in 1800.

April the 15th, 1806. About a month ago, Colonel Burr called on me, and entered into a conversation, in which he mentioned, that a little before my coming into office, I had written to him a letter intimating that I had destined him for a high employ, had he not been placed, by the people, in a different one; that he had signified his willingness to resign as Vice President, to give aid to the administration in any other place; that he had never asked an office, however; he asked aid of nobody, but could walk on his own legs, and take care of himself; that I had always used him with politeness, but nothing more; that he aided in bringing on the present order of things; that he had supported the administration; and that he could do me much harm: he wished, however, to be on different ground: he was now disengaged from all particular business—willing to engage in something—should be in town some days, if I should have anything to propose to him. I observed to him, that I had always been sensible that he possessed talents which might be employed greatly to the advantage of the public, and that as to myself, I had a confidence that if he were employed, he would use his talents for the public good: but that he must be sensible the public had withdrawn their confidence from him, and that in a government like ours, it was necessary to embrace in its administration as great a mass of public confidence as possible, by employing those who had a character with the public, of their own, and not merely a secondary one through the executive. He observed, that if we believed a few newspapers, it might be supposed he had lost the public confidence, but that I knew how easy it was to engage newspapers in anything. I observed, that I did not refer to that kind of evidence of his having lost the public confidence, but to the late Presidential election, when, though in possession of the office of Vice President, there was not a single voice heard for his retaining it. That as to any harm he could do me, I knew no cause why he should desire it, but, at the same time, I feared no injury which any man could do me: that I never had done a single act, or been concerned in any transaction, which I feared to have fully laid open, or which could do me any hurt, if truly stated: that I had never done a single thing with a view to my personal interest, or that of any friend, or with any other view than that of the greatest public good: that, therefore, no threat or fear on that head would ever be a motive of action with me. He has continued in town to this time; dined with me this day week, and called on me to take leave two or three days ago.

I did not commit these things to writing at the time, but I do it now, because in a suit between him and Cheetham, he has had a deposition of Mr. Bayard taken, which seems to have no relation to the suit, nor to any other object than to calumniate me. Bayard pretends to have addressed to me, during the pending of the Presidential election, in February 1801, through General Samuel Smith, certain conditions on which my election might be obtained, and that General Smith, after conversing with me, gave answers from me. This is absolutely false. No proposition of any kind was ever made to me on that occasion by General Smith, nor any answer, authorised by me. And this fact General Smith affirms at this moment.

For some matters connected with this, see my notes of February the 12th and 14th, 1801, made at the moment. But the following transactions took place about the same time, that is to say, while the Presidential election was in suspense in Congress, which, though I did not enter at the time, they made such an impression on my mind, that they are now as fresh, as to their principal circumstances, as if they had happened yesterday. Coming out of the Senate chamber one day, I found Gouverneur Morris on the steps. He stopped me, and began a conversation on the strange and portentous state of things then existing, and went on to observe, that the reasons why the minority of States was so opposed to my being elected, were, that they apprehended that—1. I would turn all federalists out of office; 2. put down the navy; 3. wipe off the public debt. That I need only to declare, or authorise my friends to declare, that I would not take these steps, and instantly the event of the election would be fixed. I told him, that I should leave the world to judge of the course I meant to pursue, by that which I had pursued hitherto, believing it to be my duty to be passive and silent during the present scene; that I should certainly make no terms; should never go into the office of President by capitulation, nor with my hands tied by any conditions which should hinder me from pursuing the measures which I should deem for the public good. It was understood that Gouverneur Morris had entirely the direction of the vote of Lewis Morris of Vermont, who, by coming over to Matthew Lyon, would have added another vote, and decided the election. About the same time, I called on Mr. Adams. We conversed on the state of things. I observed to him, that a very dangerous experiment was then in contemplation, to defeat the Presidential election by an act of Congress declaring the right of the Senate to name a President of the Senate, to devolve on him the government during any interregnum: that such a measure would probably produce resistance by force, and incalculable consequences, which it would be in his power to prevent by negativing such an act. He seemed to think such an act justifiable, and observed, it was in my power to fix the election, by a word, in an instant, by declaring I would not turn out the federal officers, nor put down the navy, nor spunge the national debt. Finding his mind made up as to the usurpation of the government by the President of the Senate, I urged it no further, observed, the world must judge as to myself of the future by the past, and turned the conversation to something else. About the same time, Dwight Foster, of Massachusetts, called on me in my room one night, and went into a very long conversation on the state of affairs, the drift of which was to let me understand, that the fears above-mentioned were the only obstacle to my election, to all of which I avoided giving any answer the one way or the other. From this moment he became most bitterly and personally opposed to me, and so has ever continued. I do not recollect that I ever had any particular conversation with General Samuel Smith on this subject. Very possibly I had, however, as the general subject and all its parts were the constant themes of conversation in the private *tête-à-têtes* with our friends. But certain I am, that neither he, nor any other republican, ever uttered the most distant hint to me about submitting to any conditions, or giving any assurances to any body; and still more certainly, was neither he nor any other person ever authorised by me to say what I would or would not do. *

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[The following official opinion, though inadvertently omitted in its proper place, is deemed of sufficient importance to be inserted here.]

The bill for establishing a National Bank, undertakes, among other things,

1. To form the subscribers into a corporation.
2. To enable them, in their corporate capacities, to re-

ceive grants of land; and so far, is against the laws of *Mortmain.*[*]

3. To make *alien* subscribers capable of holding lands; and so far, is against the laws of *Alienage.*

4. To transmit these lands, on the death of a proprietor, to a certain line of successors; and so far, changes the course of *Descents.*

5. To put the lands out of the reach of forfeiture or escheat; and so far, is against the laws of *Forfeiture* and *Escheat.*

6. To transmit personal chattels to successors in a certain line; and so far, is against the laws of *Distribution.*

7. To give them the sole and exclusive right of banking under the national authority; and so far, is against the laws of *Monopoly.*

8. To communicate to them a power to make laws paramount to the laws of the States; for so they must be construed, to protect the institution from the control of the State legislatures; and so, probably, they will be construed.

I consider the foundation of the constitution as laid on this ground, that 'all powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States or to the people.' (Twelfth amendment.) To take a single step beyond the boundaries thus specially drawn around the powers of Congress, is to take possession of a boundless field of power, no longer susceptible of any definition.

The incorporation of a bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the constitution.

I. They are not among the powers specially enumerated. For these are,

1. A power to *lay taxes* for the purpose of paying the debts of the United States. But no debt is paid by this bill, nor any tax laid. Were it a bill to raise money, its origination in the Senate would condemn it by the constitution.

2. To 'borrow money.' But this bill neither borrows money, nor insures the borrowing it. The proprietors of the bank will be just as free as any other money holders, to lend or not to lend their money to the public. The operation proposed in the bill, first to lend them two millions, and then

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[*] Though the constitution controls the laws of Mortmain, so far as to permit Congress itself to hold lands for certain purposes, yet not so far as to permit them to communicate a similar right to other corporate bodies.

borrow them back again, cannot change the nature of the latter act, which will still be a payment and not a loan, call it by what name you please.

3. 'To regulate commerce with foreign nations, and among the States, and with the Indian tribes.' To erect a bank and to regulate commerce, are very different acts. He who erects a bank, creates a subject of commerce in its bills: so does he who makes a bushel of wheat, or digs a dollar out of the mines. Yet neither of these persons regulates commerce thereby. To make a thing which may be bought and sold, is not to prescribe regulations for buying and selling. Besides, if this were an exercise of the power of regulating commerce, it would be void, as extending as much to the internal commerce of every State, as to its external. For the power given to Congress by the constitution, does not extend to the internal regulation of the commerce of a State, (that is to say, of the commerce between citizen and citizen,) which remains exclusively with its own legislature; but to its external commerce only, that is to say, its commerce with another State, or with foreign nations, or with the Indian tribes. Accordingly, the bill does not propose the measure as a 'regulation of trade,' but as 'productive of considerable advantage to trade.'

Still less are these powers covered by any other of the special enumerations.

II. Nor are they within either of the general phrases, which are the two following:

1. 'To lay taxes to provide for the general welfare of the United States;' that is to say, 'to lay taxes *for the purpose* of providing for the general welfare.' For the laying of taxes is the *power*, and the general welfare the *purpose* for which the power is to be exercised. Congress are not to lay taxes, *ad libitum, for any purpose they please:* but only *to pay the debts, or provide for the welfare of the Union.* In like manner, they are not *to do any thing they please*, to provide for the general welfare, but only *to lay taxes* for that purpose. To consider the latter phrase, not as describing the purpose of the first, but as giving a distinct and independent power to do any act they please, which might be for the good of the Union, would render all the preceding and subsequent enumerations of power completely useless. It would reduce the whole instrument to a single phrase, that of instituting a Congress with power to do whatever would be for the good of the United States; and as they would be the sole judges of the good or evil, it would be also a power to do whatever evil they pleased. It is an established rule of construction,

where a phrase will bear either of two meanings, to give it that which will allow some meaning to the other parts of the instrument, and not that which will render all the others useless. Certainly, no such universal power was meant to be given them. It was intended to lace them up straitly within the enumerated powers, and those without which, as means, these powers could not be carried into effect. It is known that the very power now proposed *as a means*, was rejected *as an end* by the convention which formed the constitution. A proposition was made to them, to authorise Congress to open canals, and an amendatory one, to empower them to incorporate. But the whole was rejected; and one of the reasons of rejection urged in debate was, that they then would have a power to erect a bank, which would render the great cities, where there were prejudices and jealousies on that subject adverse to the reception of the constitution.

2. The second general phrase is, ' to make all laws *necessary*, and proper for carrying into execution the enumerated powers.' But they can all be carried into execution without a bank. A bank, therefore, is not *necessary*, and, consequently, not authorised by this phrase.

It has been much urged, that a bank will give great facility or convenience in the collection of taxes. Suppose this were true: yet the constitution allows only the means which are ' necessary,' not those which are merely ' convenient,' for effecting the enumerated powers. If such a latitude of construction be allowed to this phrase, as to give any non-enumerated power, it will go to every one; for there is no one which ingenuity may not torture into a *convenience, in some way or other, to some one* of so long a list of enumerated powers. It would swallow up all the delegated powers, and reduce the whole to one phrase, as before observed. Therefore it was, that the constitution restrained them to the *necessary* means, that is to say, to those means, without which the grant of the power would be nugatory.

But let us examine this ' convenience,' and see what it is. The report on this subject, page 2, states the only *general* convenience to be, the preventing the transportation and re-transportation of money between the States and the treasury. (For I pass over the increase of circulating medium ascribed to it as a merit, and which, according to my ideas of paper money, is clearly a demerit.) Every State will have to pay a sum of tax money into the treasury; and the treasury will have to pay, in every State, a part of the interest on the public debt, and salaries to the officers of government resident in

In most of the States, there will still be a sur- money to come up to the seat of government, for officers residing there. The payments of interest and y in each State, may be made by treasury orders on the collector. This will take up the greater part of the ey he has collected in his State, and consequently prevent great mass of it from being drawn out of the State. If re be a balance of commerce in favour of that State, against ne in which the government resides, the surplus of taxes mitted by the bills of exchange drawn for that com- alance. And so it must be if there were a bank. re be no balance of commerce, either direct or cir- us, all the banks in the world could not bring us the lus of taxes but in the form of money. Treasury orders, n, and bills of exchange, may prevent the displacement of main mass of the money collected, without the aid of any k: and where these fail, it cannot be prevented, even with t aid.

erhaps, indeed, bank bills may be a more *convenient* cle than treasury orders. But a little *difference* in the ree of convenience, cannot constitute the necessity which the constitution makes the ground for assuming any non-enumerated power.

Besides; the existing banks will, without doubt, enter into arrangements for lending their agency, and the more favourable, as there will be a competition among them for it. Whereas, this bill delivers us up bound to the national bank, who are free to refuse all arrangements but on their own terms, and the public not free, on such refusal, to employ any other bank. That of Philadelphia, I believe, now does this business by their post notes, which, by an arrangement with the treasury, are paid by any state collector to whom they are presented. This expedient alone, suffices to prevent the existence of that *necessity* which may justify the assumption of a non-enumerated power, as a means for carrying into effect an enumerated one. The thing may be done, and has been done, and well done, without this assumption; therefore, it does not stand on that degree of *necessity* which can honestly justify it.

It may be said, that a bank whose bills would have a currency all over the States, would be more convenient than one whose currency is limited to a single State. So it would be still more convenient, that there should be a bank whose bills should have a currency all over the world. But it does not follow from this superior conveniency, that there exists any where a power to establish such a bank, or that the world may not go on very well without it.

Can it be thought that the constitution intended, that, for a shade or two of *convenience*, more or less, Congress should be authorised to break down the most antient and fundamental laws of the several States, such as those against mortmain, the laws of alienage, the rules of descent, the acts of distribution, the laws of escheat and forfeiture, and the laws of monopoly? Nothing but a necessity invincible by any other means, can justify such a prostration of laws, which constitute the pillars of our whole system of jurisprudence. Will Congress be too strait-laced to carry the constitution into honest effect, unless they may pass over the foundation laws of the State governments, for the slightest convenience to theirs?

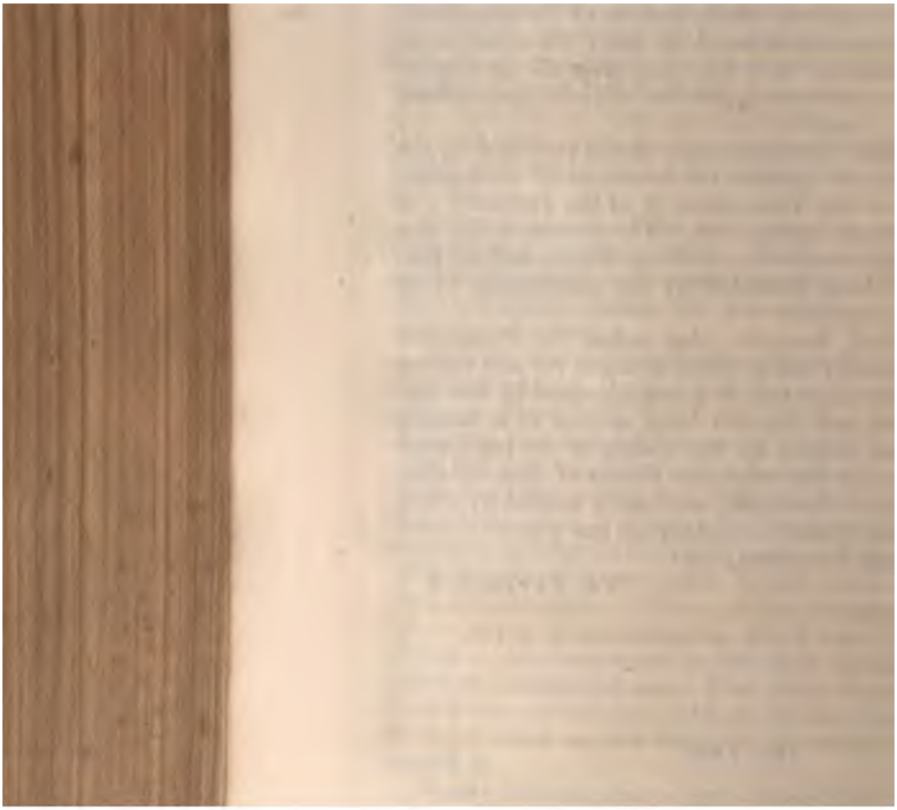
The negative of the President is the shield provided by the constitution, to protect against the invasions of the legislature, 1. the rights of the Executive; 2. of the Judiciary; 3. of the States and State legislatures. The present is the case of a right remaining exclusively with the States, and is, consequently, one of those intended by the constitution to be placed under his protection.

It must be added, however, that unless the President's mind, on a view of every thing which is urged for and against this bill, is tolerably clear that it is unauthorised by the constitution, if the *pro* and the *con* hang so even as to balance his judgment, a just respect for the wisdom of the legislature would naturally decide the balance in favour of their opinion. It is chiefly for cases where they are clearly misled by error, ambition, or interest, that the constitution has placed a check in the negative of the President.

TH. JEFFERSON.

February 15, 1791.

THE END.



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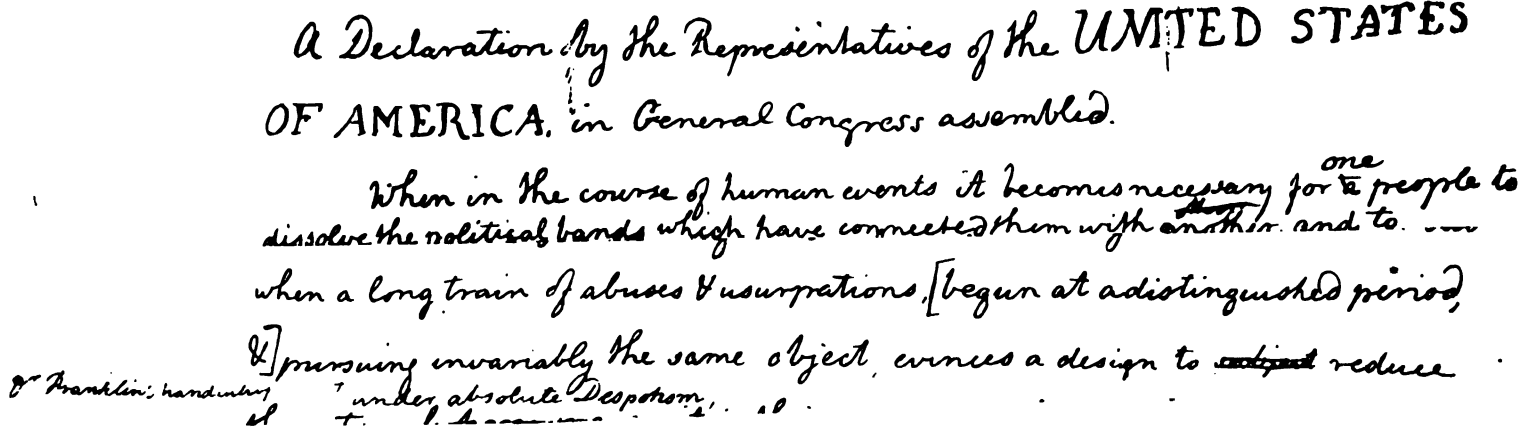

A Declaration by the Representatives of the UNITED STATES OF AMERICA, in General Congress assembled.

When in the course of human events it becomes necessary for ~~a~~ one people to dissolve the political bands which have connected them with ~~another~~ and to —

when a long train of abuses & usurpations, [begun at a distinguished period, &] pursuing invariably the same object, evinces a design to ~~subject~~ reduce under absolute Despotism,

Dr Franklin's handwriting

-lie good:

he has ~~forbidden~~ his governors to pass laws of immediate & pressing importance,

[illegible] a payment [illegible] ~~[illegible] of their offices,~~
and amount of their salaries: + Dr. Franklin

he has erected a multitude of new offices [by a self-assumed power] & sent hi-
-th. [illegible]

[illegible] good:

he has forbidden his governors to pass laws of immediate & pressing importance,

[illegible] a payment [illegible] of their offices, ———

and amount of their salaries.

+ Dr. Franklin

he has erected a multitude of new offices [by a self-assumed power,] & sent hi-

[illegible]

Nor have we been wanting in attentions to our British brethren. we have warned them from time to time of attempts by their legislature to extend an unwarrantable a juris-~~diction~~ [illegible]

will have it: the road to & to glory ~~glory &~~ happiness, is open to us too; we will tread ~~climb~~ it [illegible] apart from them. [illegible]